



## People Development

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Attracting, recruiting, onboarding, training, retaining, rewarding, and managing your team members is critical to your success. In this section of the Manual, we are providing you with the process we have developed to recruit and retain the best team members; however, you are the employer of record, and you are responsible for recruiting, hiring, managing, and developing your team. Because you are an independently owned business, we do not mandate or control your employment policies and practices. The information and processes outlined in this section are not set forth as requirements; rather, these are included as guidelines and best practices, from a business perspective, that you are free to adopt or not, unless otherwise described and necessary to comply with applicable laws.

The information that follows in this section of the Manual is meant to be a high-level overview of the various topics discussed. It is not meant to be anything more than an introduction to you and is not intended to cover every issue that you will face when working with your team members. While these topics are often legal in nature, nothing herein is intended to be legal advice, and it may not be relied upon as such. The legal landscape in this area continues to develop and requires employers to maneuver through a complex web of federal, state and local laws and regulations which frequently change. Therefore, it is critical that you locate and work with an experienced and trusted legal advisor on these topics. We also suggest that you partner with a human resources service or hotline to help you with your HR management. Remember that any claims that arise out of your failure to comply with applicable laws are subject to the indemnification provisions of your Franchise Agreement.



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## Helpful Links/Resources

- Americans with Disabilities Act (ADA) website:  
<https://www.ada.gov/index.html>
  - Americans with Disabilities Act Accessibility Guidelines (ADAAG):  
<https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/background/adaag>
- Department of Labor (DOL) website: <http://www.dol.gov/>
  - Department of Labor - Elaws: <https://webapps.dol.gov/elaws/>
  - Department of Labor - Elaws - Posters and Recordkeeping Advisors: <https://webapps.dol.gov/elaws/posters.html>
  - Department of Labor - Wage and Hour Division of the Employment Standards Administration:  
<https://www.dol.gov/whd/>
- Equal Employment Opportunity Commission (EEOC) website:  
<https://www.eeoc.gov/>
  - EEOC - Current information on employers covered by EEOC-enforced laws: <http://www.eeoc.gov/laws/types/index.cfm>
  - EEOC Outreach, Education & Technical Assistance page:  
<https://www.eeoc.gov/eeoc/outreach/index.cfm>
  - EEOC - Page for the current scope of coverage for employers:  
<http://www.eeoc.gov/employers/coverage.cfm>
  - EEOC Training Institute:  
<https://eeotraining.eeoc.gov/profile/web/index.cfm?PKWebId=0x2547b105>
  - EEOC - Immigration Reform/Control Act of 1986 (IRCA):  
<https://www.eeoc.gov/laws/statutes/titlevii.cfm>



- EEOC - Title VII of the Civil Rights Act of 1964:  
<https://www.eeoc.gov/laws/statutes/titlevii.cfm>
- Small Business Administration (SBA) website: <https://www.sba.gov/>
- Small Business Regulatory Enforcement Fairness Act (SBREFA):  
<https://www.sba.gov/advocacy/small-business-regulatory-enforcement-fairness-act-sbrefa>
- Small Business and Agriculture Regulatory Enforcement National Ombudsman:  
<https://www.sba.gov/about-sba/oversight-advocacy/office-national-ombudsman>
- U.S. Citizen and Immigration Services website: <https://www.uscis.gov/>
- U.S. Citizen and Immigration Services, Employment Eligibility page:  
<https://www.uscis.gov/i-9>



## EEOC Guidelines for Hiring Employees

Laws require you to provide equal opportunity in all aspects of employment to all qualified persons and avoid discriminating against any person because of age, race, color, religion, national origin, gender, marital status, or physical or mental disability, unrelated in nature and extent so as to reasonably preclude the performance of employment.

Under the laws enforced by EEOC, it is illegal to discriminate against someone (applicant or employee) because of that person's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information. It is also illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. (see "[Helpful Links/Resources](#)").

This discussion highlights issues of particular interest to small businesses. Refer to the EEOC website for the most up-to-date language and information (see "[Helpful Links/Resources](#)").

**Note:** Many states, counties, cities, and towns have their own laws prohibiting discrimination, as well as agencies responsible for enforcing those laws. These state and local agencies are generally called "Fair Employment Practices Agencies" (FEPAs). Usually the laws enforced by these agencies at the state and local level are similar to those enforced by EEOC at the federal level. Be sure to investigate your local state "Fair Employment Practices."

### Employers Covered by EEOC-Enforced Laws ◀

- Title VII of the Civil Rights Act of 1964 (Title VII) prohibits discrimination on the basis of race, color, religion, gender, and national origin. Title VII currently applies to employers with fifteen or more employees.
- The Age Discrimination in Employment Act of 1967 (ADEA) prohibits age discrimination against individuals who are forty years of age or older. The ADEA currently applies to employers with twenty or more employees.
- Title I of the Americans with Disabilities Act of 1990 (ADA) prohibits employment discrimination against qualified individuals with disabilities. The ADA currently applies to employers with fifteen or more employees.



- The Equal Pay Act of 1963 (EPA) prohibits wage discrimination between men and women in substantially equal jobs within the same establishment. The EPA currently applies to most employers.

## How Employees Are Counted ◀

Typically, all employees, including part-time and temporary workers, are counted for purposes of determining whether an employer has a sufficient number of employees.

An employee is someone with whom the employer has an employment relationship. The existence of an employment relationship is most readily (but not exclusively) shown by a person's appearance on the employer's payroll. Independent contractors are not counted as employees because the work they perform is based on an independent contractual relationship, not an employment relationship, but be aware that government agencies often question and test whether someone is correctly classified as an independent contractor versus an employee. The consequences of misclassification can be severe, so, if you intend to use independent contractors instead of employees or to supplement your employee base, we urge you to consult with an experienced lawyer who can advise on the issue and assist you in properly documenting the relationship.

## Record Keeping Requirements ◀

In general, employers must keep all personnel or employment records for one year. If employees are involuntarily terminated, their personnel records must be retained for one year from the date of termination. If a claim of discrimination is filed, all relevant personnel records must be retained until final disposition of the matter.

Under ADEA record keeping requirements, employers must also keep all payroll records for three years. Additionally, employers must keep on file any employee benefit plan information (such as pension and insurance plans) and any written seniority or merit systems for the full period the plan or system is in effect and for at least one year after its termination.

Under Fair Labor Standards Act (FLSA) record keeping requirements applicable to the EPA, employers must keep payroll records for at least three years.

Some states may have longer retention requirements for payroll records (currently, up to seven years), so it is always important to know the requirements of the state in which employees work. See also, "**Record Keeping Requirements**" later in this section.



## Reporting Requirements ◀

The EEOC requires larger employers to file an EEO-1 report each year, which provides a breakdown of an employer's work force by race, gender, and job category. However, employers with fewer than one hundred employees and federal contractors with fewer than fifty employees and contracts under \$50,000 are currently exempt from this requirement.

## Charge Processing Procedures ◀

As an employer, you should encourage your employees to communicate any concerns directly to you if there is reason to believe the equal employment opportunity policy is being violated. You should resolve the employee issue and document the actions taken.

Also, the EEOC has field offices across the country. An employee or applicant for employment who believes they have been discriminated against can file a charge of discrimination at any EEOC field office.

- EEOC will send a copy of the charge to the employer.
- EEOC will immediately dismiss charges that raise no legal claim under EEOC-enforced laws.
- Otherwise, EEOC will investigate the charge to determine whether there is reasonable cause to believe discrimination occurred. EEOC will request that the employer provide information on the matters raised in the charge.
- If the evidence shows there is no reasonable cause to believe discrimination occurred, EEOC will notify both the charging party and the employer, and the charging party will be given a notice of right to sue in court.
- If the evidence shows there is reasonable cause to believe discrimination occurred, EEOC will seek to conciliate the charge by working with the employer to achieve a voluntary resolution. In conciliation, EEOC will require the employer to provide the appropriate remedy(ies) for the discrimination.
- If conciliation fails, the case may be litigated by EEOC or the charging party.



## Mediation ◀

EEOC has implemented a mediation program that is now available in most EEOC field offices across the country. Mediation is an alternative to the sometimes lengthy investigative process.

- Participation in the mediation process is voluntary and provides an employer and the charging party the opportunity to discuss the charge before a neutral mediator and resolve it to the mutual satisfaction of all parties.
- Mediation is quick, easy, informal, and confidential.
- Mediation agreements are not an admission by an employer of any violation of the laws enforced by EEOC.
- Mediation agreements result in the closure of cases with EEOC.

## Remedies ◀

Under EEOC-enforced laws, principal remedies for unlawful employment discrimination include reinstatement or hiring, court orders to eliminate discriminatory practices, restoration of lost wages, damages, and attorney's fees. An employer is responsible for the full amount of lost wages and attorney's fees. Lost wages are not considered damages.

The size of a company will determine the "cap" on the damages available from an employer to a complaining party.

Employers with...	Maximum
15 to 100 employees .....	\$50,000
101 to 200 employees .....	\$100,000
201 to 500 employees .....	\$200,000
More than 500 employees .....	\$300,000

## Regulatory Enforcement Fairness Act ◀

The Small Business Regulatory Enforcement Fairness Act (SBREFA) (see "**Helpful Links/Resources**") allows small businesses to comment about federal agency enforcement actions to a SBA Ombudsman. For information about this process and how to submit a comment, contact the Small Business and Agriculture Regulatory Enforcement National Ombudsman (see "**Helpful Links/Resources**").



## Technical Assistance ◀

The EEOC Training Institute (see “**Helpful Links/Resources**”) provides fee-based training and technical assistance programs throughout the country, and has training and technical assistance materials available to purchase.

These assistance programs are designed to educate employers and provide the technical assistance necessary to comply with federal laws prohibiting employment discrimination. Visit the EEOC Training Institute’s site (see “**Helpful Links/Resources**”) to join the mailing list to be notified of training held in your area.

## Informal Guidance ◀

Employers who have questions about the laws enforced by EEOC or about compliance with those laws in specific workplace situations may seek informal guidance by writing to EEOC’s Office of Legal Counsel.

## Publications ◀

EEOC publications (including text of the laws enforced by the EEOC, facts about employment discrimination, and enforcement guidelines and related documents) are available free of charge by writing the EEOC’s Publications Information Center.



## Wage and Labor Laws

You are encouraged to refer to your attorney and the Department of Labor website for the most details regarding the wage and labor laws (see "[Helpful Links/Resources](#)").

The federal, state, and many local governments in the United States have enacted employment laws, which are regulations that deal with the relationship between an employer and employee. Differences among federal, state, and local governments affect the regulations relating to the minimum wage, occupational safety, and the right to unionize. Most of the time, federal laws constitute a minimum level of employment regulation, while state and local laws and regulations are typically more detailed and pointed.

You, as the franchisee, are responsible for being familiar with and complying with all state and local labor laws as they pertain to the jurisdiction in which your Facility is located. You should carefully research the differences in federal, state, and local labor laws and comply accordingly.

The following information relates to federal regulations and requirements. As mentioned in the previous paragraph, you are responsible for researching the regulations set by your state and locally, which in most cases will be more strict than federal regulations and complying with those regulations.

### Fair Labor Standards Act ◀

The Department of Labor administers and enforces the Fair Labor Standards Act (FLSA) through the Wage and Hour Division of the Employment Standards Administration (see "[Helpful Links/Resources](#)").

### What the FLSA Requires ◀

Basic requirements:

- Payment of a minimum wage
- Overtime pay for time worked over forty hours in a work-week



- Restrictions on the employment of children
- Record keeping

The FLSA has been amended on many occasions since 1938. The FLSA current standards are as follows:

- The federal minimum wage was set at \$7.25 per hour effective July 24, 2009. Many states and certain local governments have implemented higher minimum wage levels than the federal minimum wage. You are responsible for knowing the current minimum wage requirement in your area.
- Federally, employees under twenty years of age may be paid a training wage of \$4.25 per hour during their first ninety consecutive calendar days of employment.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.
- Compensation for overtime must be made at a rate of one and one-half times the employee's regular rate of pay. Overtime is defined as work in excess of forty hours per work week (though not necessarily in excess of eight hours per day). State and local laws may vary and you are responsible for knowing the current overtime requirements in your area.
- Employers are required to keep records on wages, hours, and other items that are generally maintained as an ordinary business practice.
- Child labor provisions are designed to protect the educational opportunities of youths and prohibit their employment in jobs and under conditions detrimental to their health or safety. (Consult the child labor laws of your state.) Employees must be at least sixteen years of age to work in most non-hazardous jobs and at least eighteen years of age to work in jobs declared hazardous under the FLSA.
- The following rules apply to employees under the age of sixteen:
  - Three hours on a school day or eighteen hours in a school week
  - Eight hours on a non-school day or forty hours in a non-school week
  - Between the hours of 7:00 a.m. and 7:00 p.m., except from June 1 through Labor Day, when evening hours may be extended to 9:00 p.m.



Wages required by the FLSA are due on the regular payday for the pay period covered. Deductions made from wages for such items as cash or product shortages, employer-required uniforms, and tools of the trade are not legal if they reduce the wages of employees below the minimum wage or reduce the amount of overtime pay due under the FLSA.

The Department of Labor may recover back wages, either administratively or through court action, for employees who have been underpaid in violation of the law. Violations may result in civil or criminal action. Fines of up to \$10,000 per violation may be assessed against employers who violate the child labor provisions of the law and up to \$1,000 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions.

Exceptions:

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa.
- State laws may require different requirements than federal for payouts on last check and vacation.

This law prohibits discriminating against or discharging workers who file a complaint or participate in any proceedings under the Act. However, for the FLSA to apply, there must be an employment relationship between an employer and an employee. The FLSA also contains some exemptions from these basic rules. Some apply to specific types of businesses and others to specific kinds of work.

## What the FLSA Does Not Require ◀

Non-regulated areas:

- Vacation, holiday, severance, or sick pay
- Meal or rest periods, holidays, or vacations
- Premium pay for weekend or holiday work
- Pay raises or fringe benefits



- A discharge notice, reason for discharge, or immediate payment of final wages to terminated employees. While these are non-regulated areas, keeping records of the above-mentioned might help with unemployment claims.
- Pay stubs or W-2 forms

The FLSA does not provide wage payment or collection procedures for an employee's usual or promised wages or for commissions in excess of those required by the FLSA. Also, the FLSA does not limit the number of hours in a day, or days in a week, an employee may be required or scheduled to work, including overtime hours, if the employee is at least sixteen years of age. However, some states and local governments do have laws covering some of these issues, such as meal/rest periods, sick time, or discharge notices, which would then apply.

These types of matters that are not covered by the FLSA are generally for agreement between the employer and the employees or their authorized representatives.

## **FLSA Minimum Wage Poster ◀**

Every employer who has employees that are subject to minimum wage provisions under the FLSA must keep posted in a conspicuous place a notice explaining the Act so as to permit employees to easily read it. The content of the notice is prescribed by the Wage and Hour Division of the Department of Labor.

## **Other Mandatory Labor Law Posters ◀**

Every employer who has at least one employee is required to post federal, state, and OSHA mandatory labor law posters in the workplace. As an employer, posting these labor law posters in the workplace will inform your employees of their labor and employment rights and give them a better understanding of what is required of them. Employment law posters must be displayed in prominent areas that can easily be seen by every employee, such as break areas or lunchroom areas.

Failure to display these required government labor law postings can result in steep fines and citations during an inspection, ranging from as low as \$110 up to a potential maximum of \$10,000.

As federal, state, and OSHA agencies make labor law changes, you will need to update your posters to stay in compliance with employment regulations.



Refer to the posters and recordkeeping advisors page on the Department of Labor website (see “**Helpful Links/ Resources**”) for a list of the mandatory posters. From this site, you can also print the posters that you need.

Also, we encourage you to visit your state’s government website to determine which labor posters your state requires you to post. The easiest way to stay in compliance is to subscribe to a labor law poster service that automatically sends you updated posters as regulations change.



## Laws Regarding Harassment

Refer to the EEOC, state and local government websites for current harassment guidelines.

Title VII of the Civil Rights Act of 1964 prohibits employers from discriminating against employees because of sex, race, color, national origin and religion (see “[Helpful Links/Resources](#)”).

### Sexual Harassment ◀

Sexual harassment is a form of unlawful sex discrimination. Sexual harassment includes any unsolicited sexual advances, requests for sexual favors, or any other sexually oriented action, object, or dialogue that may be considered by the recipient to be personally offensive, derogatory, or abusive. Examples include, but are not limited to, sexual bartering, personal touching, obscene jokes, derogatory or sexist comments, and/or suggestive material or objects (e.g., photos, posters, t-shirts).

Employers are responsible for maintaining a workplace that is free of sexual harassment. Employers may be liable for the unlawful conduct of their agents, supervisory employees, employees and, in certain circumstances, even non-employees who sexually harass employees at work.

We suggest having an “open door” policy when it comes to any form of harassment. We encourage you to provide a very detailed policy regarding sexual harassment in your team member handbook. We also recommend that a separate sexual harassment policy be signed by each employee, in addition to what is provided in the team member handbook.

### Racial and Ethnic Harassment ◀

Harassment on the basis of an individual’s race or national origin violates Title VII. There are certain actions that are unlawful if the conduct creates an intimidating, hostile, or offensive work environment or unreasonably interferes with an employee’s work performance.



- Racial or ethnic slurs, jokes, or other offensive or derogatory comments
- Other verbal or physical conduct based on race or nationality

Employers are responsible for maintaining a workplace that is free of racial and ethnic harassment. Employers may be liable for unlawful conduct of their agents, supervisory employees, employees and, in certain circumstances, non-employees who harass employees at work.

## Pregnancy Discrimination ◀

Under Title VII, discrimination on the basis of pregnancy, childbirth, or related medical conditions is unlawful sex discrimination. Title VII's prohibition against pregnancy discrimination applies to all terms and conditions of employment, including hiring, termination, promotion, leave, and benefits.

## Religious Accommodation ◀

Employers are required to provide an accommodation for employees' sincerely held religious observances or practices unless the accommodation would impose an undue hardship on the employer's business.

Undue hardship claims:

- Undue hardship can be claimed if an accommodation imposes more than "de minimis" cost, generally meaning more than ordinary administrative costs.
- Undue hardship can also be claimed if an accommodation requires violating the terms of a seniority system (e.g., denying another employee's job or shift preference).



## Immigration Reform/Control Act

Refer to the EEOC website for information on the Immigration Reform/Control Act of 1986 (IRCA).

IRCA makes it unlawful for employers to hire any person who is not legally authorized to work in the United States. The Act requires employers to verify the employment eligibility of all new employees by requiring them to complete an Employment Eligibility Verification Form (I-9). Visit the United States Citizen and Immigration Services website to obtain the current version of the Form I-9 (see "**Helpful Links/Resources**").

Employer verification of employment eligibility of a new employee is mandated through the U.S. Citizenship and Immigration Services within three business days of hire.

IRCA also prohibits discrimination in hiring and discharge based on national origin (as does Title VII) and on citizenship status.

IRCA's anti-discrimination provisions are intended to prevent employers from attempting to comply with the Act's work authorization requirements by discriminating against foreign-looking or foreign-sounding job applicants. These provisions apply to smaller employers than those covered by EEOC-enforced laws:

IRCA provisions:

- IRCA's national origin discrimination provisions apply to employers with between four and fourteen employees (who would not be covered by Title VII).
- IRCA's citizenship discrimination provisions apply to all employers with at least four employees.
- New I-9 Form must be completed every three years for employees who are not legal citizens.
- Employers must retain completed I-9 Forms for three years from date of hire or one year after termination, whichever is later.



## Americans with Disabilities Act (ADA)

Refer to the Americans with Disabilities Act (ADA) website ([www.ada.gov](http://www.ada.gov)) for information on the ADA. You should also search for state and local laws that might require you to make accommodations for persons with disabilities.

The ADA was signed into law in July 1990. The ADA Law is a Civil Rights Act that is enforced by the US Department of Justice. The purpose of the ADA is to prohibit discrimination on the basis of disability in employment, state/local government, public accommodations, commercial facilities, transportation, and telecommunications.



### Who is Protected? ◀

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA does not specifically name all of the impairments that are covered and it is important to remember that the severity of the disability may or may not be intense and no two people experience it the same way.

### What is Covered? ◀

Title I: Employment – Title I requires employers with fifteen or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment.

Title II: State and Local Government Activities – This section does not apply to non-government facilities.



Title III: Public Accommodations – Title III and the implementing regulations set forth in 28 C.F.R. Part 36 prohibit discrimination against or on the basis of disability in the full and equal enjoyment of goods, services, facilities, privileges, advantages or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.

The ADA has established requirements on those who own, lease, and/or operate places of public accommodations to undertake certain construction, modification, and service efforts to ensure that individuals with disabilities have equal access to goods and services at their places of public accommodations.

## **Ensuring Compliance ◀**

As an independent business owner, you are responsible for complying with all applicable laws and regulations (including ADA, state and local accessibility regulations and ordinances). This is particularly important where you might need to make modifications to our standard design specifications in order to comply with laws in your particular jurisdiction. We strongly recommend that you review with your legal counsel any questions that you may have regarding operational practices or barrier removal necessary to provide access to goods and services for individuals with disabilities.

## **ADA Survey and Enhancements ◀**

If you own your own Facility, we encourage you to consult with your legal counsel and architect to review your Facility for accessibility under the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and applicable state and local accessibility codes.

## **ADA Resources ◀**

The Department of Justice's website [www.ada.gov](http://www.ada.gov) provides information to assist persons and business owners in handling the requirements of the ADA. Information on the website includes:

- ADA Standards and Regulations
- ADA Questions and Answers
- ADA Guide for Small Businesses
- ADA Tax Incentive Packet



## Working with Independent Contractors

In some situations, you may decide to use independent contractors as opposed to hiring employees. We are not in a position to make this determination for you. You are encouraged to discuss this matter with your professional advisors (accountant and attorney) to determine whether the individuals you hire should be considered independent contractors or employees.

### Employees vs. Independent Contractors ◀

In determining whether to hire an individual as an employee or an independent contractor, it is essential for you to understand that the courts in your state have the power to classify an individual as an employee even if you describe them as an independent contractor. Whether an individual is an employee or an independent contractor is a question of fact and must be determined for each person. If a person is determined to be an employee, then any costs of workers' compensation, social security, unemployment insurance, as well as federal income tax and state income tax withholding are the responsibility of the employer. If an individual is an independent contractor, these costs and the tax withholdings are the contractor's responsibility. The consequences of misclassification of employees as independent contractors can be severe, and the standards and factors that are considered and applied by courts in various states can vary widely. Therefore, if you intend to use independent contractors as team members, we encourage you to work with knowledgeable and trusted lawyers in your specific jurisdiction to ensure your arrangements and agreements with your independent contractors can be supported if attacked by the independent contractor or a government agency.



## Profile of the Ideal Gold's Gym Staff

As we stated earlier in this section, you are free to hire whoever you determine would be a good fit for your business. This discussion is provided in an effort to share information we found helpful in determining who would be a good fit for a Gold's Gym Facility. These are provided as guidelines only. Whether you choose to follow these practices or not is entirely up to you.

The first step in preparing to hire is determining what traits are important for your team members. You can teach team members the technical skills of the job, but you can't teach people positive attitudes, values, and strong work ethic. Think about what you are trying to accomplish. The primary objective is to place the right number of team members in positions who can do the job, will do the job, and fit with your business and the job. You may have secondary objectives, such as developing your team, controlling expenses, or maybe even helping people with difficult personal situations. But we recommend keeping your primary focus as finding team members who fit the culture of your Gold's Gym Facility.

The best team members are constantly looking for new ways to improve themselves and look for ways to continuously contribute more to the company. They are hardworking, listen, take feedback seriously, and are open-minded when presented with new ideas. They aren't afraid to ask questions and seek help when needed. They have a passion for working in health and fitness and helping others to achieve their goals.

- **Passionate about fitness:** Demonstrates genuine enthusiasm and interest in fitness, motivating others to pursue their health and wellness goals.
- **People person:** Enjoys interacting with others, building strong relationships with both colleagues and members, and creating a positive and welcoming atmosphere.
- **Charismatic:** Possesses charm, confidence, and persuasive communication skills that captivate and inspire others.
- **Sociable:** Comfortable in social settings, able to engage with diverse individuals, and fosters a sense of community within the Facility.
- **Demonstrates leadership qualities (for management roles):** Leads by example, inspires and motivates team members, and effectively delegates tasks to achieve goals. Acts as the "Mayor of the Facility."



- **Takes initiative:** Proactively seeks out opportunities to improve processes, solve problems, and contribute to the success of the team.
- **Strong communication skills:** Able to convey ideas clearly and effectively, listen actively, and provide constructive feedback.
- **Team player:** Collaborates effectively with colleagues, values teamwork, and contributes to a positive work environment.
- **Adaptable and flexible:** Can quickly adjust to changing priorities, environments, and circumstances, maintaining productivity and composure.
- **Problem solver:** Identifies issues, analyzes root causes, and implements effective solutions to overcome challenges.
- **Motivated and driven:** Demonstrates a strong work ethic, sets ambitious goals, and strives for excellence in all endeavors.
- **Positive attitude:** Maintains an optimistic outlook, approaches tasks with enthusiasm, and uplifts others with their positivity.
- **Able to multitask:** Capable of managing multiple responsibilities simultaneously while maintaining quality and efficiency.
- **Embraces challenges and opportunities for growth:** Views obstacles as opportunities for learning and development, continuously seeking to expand their skills and knowledge.
- **Takes pride in their work and the Gold's Gym brand:** Displays a strong commitment to upholding the standards and values of Gold's Gym, striving to deliver exceptional experiences to members and colleagues alike.



## Job Descriptions

You are free to develop job descriptions for your team members, with the responsibilities broken down as you best see fit. We have included sample job descriptions of our positions; you will need to determine what works well for you. When you first open, you might not hire for all of these positions. You may combine tasks into one role. As your business grows, you will likely segment out positions to ensure your business is well-positioned to support the growth in members and number of team members.

Even though each job description outlines specific tasks, we encourage you to ensure your team members understand there may be times when they are asked to perform a duty that falls under a different job description to keep the operation running smoothly. Promote teamwork!

### General Manager ◀

#### Position Overview:

The General Manager is responsible for effectively managing all facets of their Facility on a day-to-day basis, including, but not limited to, hiring, training, development of team members, and overall Facility operations, including delivering excellent member service to our members while modeling the organization's values and culture.

#### Key Responsibilities:

- Deliver an exceptional Facility member experience.
- Oversee member experience within the Facility and lead by example.
- Provide and maintain the highest level of member service to our members.
- Provide effective decision-making regarding member service issues to provide a positive member experience.
- Ensure our members receive the best fitness experience by walking the Facility floor and assisting members when needed.



- Manage member feedback.
- Hire, train, and schedule all Facility-level staff.
- Train and develop front desk staff and/or frontline staff regarding all standard operating processes involving member acquisition and onboarding.
- Manage and evaluate the performance of all Facility team members.
- Oversee team member payroll.
- Manage P&L of their Facility to ensure expected profitability.
- Ensure facility is clean and operationally sound and assist in organizing weights and inspecting equipment to ensure it is in working order.
- Responsible for managing janitorial and office supplies, printing and forms and small equipment.
- Effectively manage the operations of the Facility, including managing Facility-controllable inventory and assets.
- Be an ambassador of your Facility by promoting and staying aware of your Facility's social media and digital presence.
- Understand budgeting, inventory, payroll, labor management, and Facility maintenance.
- Have business acumen that includes an understanding of the competitive landscape and community around the Facility.
- Ensure compliance throughout the Facility.
- Stay aware of all job postings for your Facility and ensure interviews are performed on a consistent basis to prevent any open positions in operations or fitness.



## Assistant General Manager ◀

### Position Overview:

The Assistant General Manager has the responsibility for effectively assisting the General Manager in managing all facets of a particular Facility location, including, but not limited to, hiring, training, and developing all team members, as well as the overall execution of operations and personal training. Responsible for delivering excellent member service to our members while role modeling the organization's values and culture.

### Key Responsibilities:

- Consistently deliver an exceptional member and team member experience and actively participate in getting to know all members and guests.
- Oversee member experience within the Facility and lead by example.
- Provide and maintain the highest level of member service to our members through personal actions and development of staff.
- Provide effective decision-making regarding member service issues to provide a positive member experience.
- Responsible for prospecting, hiring, and onboarding of personal trainers and group fitness instructors.
- Lead team to achieve total fitness experience for all members by walking the Facility floor and assisting members when needed.
- Managing and updating group fitness class schedules.
- Responsible for auditing personal training certificates to ensure all are valid and uploaded into your chosen gym management platform.
- Shadow personal trainers and trainers to ensure the highest quality of service is provided to members.
- Responsible for managing member feedback of your Facility.
- Assist in facilitating and monitor company-wide initiatives.



- Ensure the facility is clean and operationally sound. Assist in organizing weights and ensuring all machines function properly.
- Responsible for Facility inventory of retail and concessions.

## Front Desk Associate ◀

### Position Overview:

The Front Desk Associate greets and directs members, guests, and staff as they enter the Facility and provide control of the front door location. This position provides assistance to members' requests along with inquiries about Facility operations and policies as well as perform various administrative duties as directed by the General Manager or Assistant General Manager.

### Key Responsibilities:

- Enthusiastically greet each member and guest promptly using the proper greeting for time of day to create a friendly, positive entrance and departure to and from the Facility.
- Provide security and control to the front door and retail area of the facility.
- Personally check each member into the Facility using the proper check-in procedures.
- Monitor check-ins to identify delinquent accounts and notify the General Manager.
- Register all guests into the Facility using proper registration procedures.
- Ensure that guests and appointments are directed to the appropriate team member in a prompt, professional manner.
- Answer phone in a professional and courteous manner and use proper phone greeting techniques.
- Address caller's requests and/or take appropriate messages noting caller's name.
- Respond immediately to member requests, inquiries, and concerns.
- Distribute keys, towels, and other materials as needed.



- Reserve time/make appointments for special classes or other activities sponsored by the Facility.
- Process retail and concession sales.
- Attend all staff meetings as directed.
- Clean and maintain the front desk area according to Gold's Gym standards.
- Responsible for Facility walkthroughs.
- Follow proper opening and closing procedures.
- Log all maintenance concerns that are reported.
- Follow and report any safety concerns.
- Notify management of Facility incidents that require incident reports.
- Work when scheduled and adhere to company attendance policies.

## **Membership Advisor (Optional)**

### **Position Overview:**

Membership Advisors at Gold's Gym Facilities play a pivotal role in guiding guests through their fitness journey and helping them become valued members of our community. Their primary responsibility is to foster positive relationships with guests, understand their fitness goals, and facilitate their membership experience.

Please note that this is an optional position. As a Gold's Gym franchisee, you are not required to staff this position, but they can be a great addition to your team.

### **Key Responsibilities:**

- Actively generate leads through various channels, including member referrals, community outreach, and marketing initiatives, to engage potential members with the Gold's Gym brand.
- Provide exceptional service to guests by greeting them warmly, conducting needs assessments, and addressing any inquiries or concerns they may have about membership options and Facility amenities.



- Offer personalized facility tours to showcase the features and benefits of Gold's Gym membership, emphasizing suitability for guests' fitness goals and preferences.
- Guide guests through the membership sales process with professionalism and enthusiasm, presenting membership options, explaining pricing, and closing sales effectively.
- Support new members in transitioning into the Gold's Gym community by providing ongoing assistance, encouragement, and resources to help them achieve their fitness objectives.
- Serve as a brand ambassador for the Gold's Gym Facility, embodying its values and standards in every interaction with guests and promoting a welcoming and inclusive atmosphere.

## **Personal Trainer ◀**

### **Position Overview:**

Gold's Gym Personal Trainers help our members achieve their potential through fitness by providing customized fitness programs to our members, including education and guidance on proper nutrition, cardiovascular exercise, resistance training, and other programs.

### **Key Responsibilities:**

- Conduct service appointments with members which includes body fat analysis, nutritional counseling, proper use of fitness equipment, proper form of exercises, etc.
- Advise members on ways to achieve their fitness goals.
- Develop individualized exercise programs consistent with our members' personal fitness and exercise goals.
- Continually monitor and assist members to ensure proper form is used when performing exercises.
- Ensure the Facility's cleanliness and tidiness.



- Responsible for achieving monthly revenue goal established by the Assistant General Manager.
- Partner to help new members achieve their fitness goals with personal training.

## **Group Exercise Instructor** ◀

### **Position Overview:**

The Group Exercise Instructor leads and motivates members in a group environment through a pre-arranged format of exercises designed to enhance overall fitness, strength, and endurance, while ensuring that the safety of the members is not compromised. This position also serves as a resource to educate members on various aspects of fitness.

### **Key Responsibilities:**

- Lead and deliver group fitness classes based on industry standards and approved formats that begin and end promptly, and adhere to the format, standards, and times scheduled.
- Instruct participants on effective workout methods; explain proper techniques, demonstrate exercises, identify different muscle groups, and teach appropriate methods and modifications.
- Provide verbal instructions that are clear and ensure that the volume, tempo of music, and overall atmosphere is motivational and conducive to hearing, teaching, learning, and having fun.
- Train and motivate class participants to achieve fitness goals and continually monitor for signs of injury, illness, or overexertion.
- Interact with participants, answer questions, introduce/orient new participants, generate and maintain a positive exercise experience, and solicit feedback in order to maintain long-term participation and member retention.
- Ensure all participants are using correct form during class and offer modifications and variations of the activities to accommodate all fitness levels.
- Maintain and demonstrate a positive and professional attitude towards their responsibilities, fellow associates, members, and guests.



- Represent and promote Gold's Gym group exercise in a professional manner and adhere to appropriate fitness attire for demonstrating proper form, alignment, and movement of the body, and refrain from attire that is revealing in an inappropriate manner.
- Consistently deliver scheduled class as posted on schedule and actively coordinate and schedule a qualified/approved substitute group exercise instructor in the event of necessary absence in order to avoid any cancellations.
- Ensure all equipment is functioning correctly and microphones are in working order.
- Maintain cleanliness and organization of the group fitness room by ensuring equipment is put away and sound system is turned off when not in use.
- Promptly notify management of any equipment or Facility repair needs.
- Prepare any incident and/or witness reports as necessary in the event of accidents.

## Maintenance Technician/Facility Manager ◀

### Position Overview:

The Facility Manager is responsible for maintaining the Facility property (general building maintenance and repairs) and maintaining, repairing, and conducting preventative maintenance for all fitness equipment. This position is also responsible for ordering parts necessary for repairs, facility maintenance, and equipment.

Other duties include working with approved vendors, keeping up with maintenance requests, and tracking preventative maintenance tasks and projects.

### Key Responsibilities:

- Perform general building maintenance repairs, i.e., plumbing, electrical, HVAC, general carpentry, painting, drywall repair, locks, and preventative maintenance (PM) work.
- Maintain, repair, and perform property management tasks for all fitness equipment in Facility.
- Maintain pool, spa, and wet and dry sauna (if applicable).



- Perform basic maintenance of HVAC systems, electrical, and plumbing equipment.
- Perform carpentry repair duties.
- Inspect heating and air conditioning equipment, sprinkler systems, and fire protection devices to ensure proper operation.
- Replace overhead lamps in both incandescent and fluorescent overhead lighting fixtures and replace lighting ballasts, as necessary.
- Plan and paint large areas within the Facility, including touch up painting when necessary.
- Maintain a maintenance request system to reflect open maintenance and repair requests and work orders.

## Housekeeper ◀

### Position Overview:

Gold's Gym Housekeepers are vital members of the Facility's team. They ensure that the Facility is clean and meets the expectations of members.

Housekeepers are responsible for any combination of light cleaning duties on the Facility floor, locker rooms, and offices. Housekeepers work under the direction of the General Manager.

### Key Responsibilities:

- Clean outside glass.
- Wipe down equipment, doors, and floors, as necessary.
- Empty trash receptacles daily.
- Sweep and mop floors/stairwells/staircases.
- Clean carpets and floors, as needed.
- Change light bulbs, as necessary.



- Clean all fitness equipment, bathrooms (tile, tub, walls, and sink), mirrors, and glass.
- Dust furniture and fixtures daily.
- Clean the management office daily.
- Mop and sweep lobby floors.
- Clean the locker rooms (sweep, mop, trash removal, dust, clean out lint); buff locker/lobby room floor.
- Maintain and organize mops, brooms, vacuum cleaners, and other equipment/supplies in good condition in designated storage areas.
- Pick up debris on carpet and vacuum carpet.
- Replace or add required supplies in locker rooms.
- Stock carts with linens and supplies and organize cart as trained and required.
- Clean vacuum cleaner bags or canister daily.
- Report maintenance problems in an accurate and timely matter.

## Kids Club Associate (if applicable) ◀

### Position Overview:

Kids Club Associates at a Gold's Gym Facility play a vital role in creating a safe, engaging, and enjoyable environment for children while their parents focus on their fitness goals. They are entrusted with the responsibility of upholding our standards and ensuring that every child has a positive and enriching experience during their time at the Facility.

Please note that this position is only applicable if your club chooses to offer Kids Club.

### Key Responsibilities:

- Prioritize the safety and well-being of all children in the Kids Club, following established protocols and procedures to maintain a secure environment at all times.



- Interact with children in a friendly and nurturing manner, leading age-appropriate activities, games, and crafts to keep them entertained and engaged throughout their visit.
- Maintain open and clear communication with parents regarding their child's experience, including any concerns, preferences, or special instructions provided by the parents.
- Ensure cleanliness and sanitation of the Kids Club area, including toys, equipment, and surfaces, to promote a healthy and hygienic environment for children.
- Handle conflicts or behavioral issues among children calmly and diplomatically, employing positive reinforcement and redirection techniques to encourage cooperative and respectful behavior.
- Be prepared to respond effectively to emergencies or medical situations involving children, following established procedures and protocols to ensure their safety and well-being.
- Work collaboratively with fellow Kids Club associates and Facility staff to maintain a cohesive and supportive team environment, sharing responsibilities, and supporting each other as needed.



## Recruiting Staff

In our years of experience, we have continually evaluated and fine-tuned our recruitment process; as expected, we have learned key information about recruiting team members. The information included in this discussion reflects our suggested processes and practices. Keep in mind that the individuals you hire are **your** team members, not ours. Thus, the guidelines that follow for hiring are recommendations based on what we have found to be effective; you may utilize other methods if you prefer. Remember that your team members are a reflection of your business and you. Their appearance, demeanor, and treatment of members will strongly impact the success of your Gold's Gym Facility.

Obtaining the right people for the right positions at the right time is an involved process, from identifying the right time to hire, to finding the people, making an offer, and signing the W-4. But it is a necessary process because the success of your business depends to a large extent on your ability to hire team members who can best perform the job.

### Getting the Word Out ◀

There are several ways you can choose to go about getting the word out to hire potential team members:

- Post job openings on platforms such as Indeed and LinkedIn, with a focus on using LinkedIn for management positions.
- Access an applicant tracking system (ATS), which assists with applicant tracking and posts job openings to multiple boards.
- Encourage staff and current members to refer potential candidates for job openings, tapping into their networks for qualified candidates.
- Organize career fairs or open houses, particularly during the Facility's initial opening phase, to attract a diverse pool of applicants.
- Build relationships with colleges and universities to recruit through internships, especially for personal trainer positions, fostering partnerships with educational institutions to identify promising talent.



## Screening Applicants ◀

- Thoroughly review résumés and applications to assess candidates' qualifications, relevant experience, and skills for the position.
- Verify certifications of trainers and instructors to ensure they meet the required qualifications for the role.
- Conduct phone screenings to further evaluate candidates based on personality, fit, and relevant experience.
  - Assess candidates' communication skills, professionalism, and enthusiasm for the position during the phone screen.



## The Interview Process

Although interviewing takes time, you may want to conduct personal interviews with everyone you deem a potential candidate.

An interview process is designed to make qualified judgments about an applicant's suitability for a job. Unfortunately, many interviewers either don't have a clear picture of what the job requires or they let non-job-related factors influence their thinking. Either way, they ask questions that don't appropriately relate to the job, thereby leading to bad hiring decisions or placing themselves and the company in a legally vulnerable position.

In our experience, interviews give the best results when questions center on the applicant's ability to do the job, availability to work the hours required, willingness to accept the salary/wage, conformity to Gold's Gym standards, and apparent demeanor. Questions asked should never suggest any biases. Each question should be directly related to the requirements of the job and not suggest assumptions about any protected class or group.

We encourage you to think about what you need to know about the applicant and how you think this information relates to the job. Also keep in mind that the Equal Employment Opportunity Commission has guidelines that you are required to abide with (see "**EEOC Pre-Employment Inquiry Guidelines**").

If an applicant volunteers information that you aren't permitted to ask (e.g., family status), this does not give you license to discuss the matter further. Instead, you must redirect the conversation to job-related factors and make it clear that you won't use the unqualified information as part of the decision process. While it is important to tell them about the details of the position, be sure the applicant is doing the majority of the talking.



## EEOC Pre-Employment Inquiry Guidelines

SUBJECT	LAWFUL INQUIRIES	UNLAWFUL INQUIRIES
Address/ Residence	Applicant's address. Inquiry into place and length of current and previous addresses. "How long a resident of this state or city?"	Specific inquiries into foreign addresses that would indicate national origin. Names or relationship of persons with whom applicant resides. Whether applicant owns or rents a home.
Age	Minor. You can inquire about proof of age in form of work permit or certificate of age.	Discrimination against persons who are between 40 and 70 years of age is forbidden by EEO law.
Arrests/ Convictions	Inquiry into actual convictions that relate reasonably to fitness to perform a particular job. (A conviction is a court ruling where the party is found guilty as charged. An arrest is merely the apprehending or detaining of the person to answer the alleged crime.)	Since arrest does not establish guilt, any inquiry into arrests is unlawful.
Citizenship	You may tell applicants that, if hired, they will be required to present proof of citizenship or right to work prior to starting the job. If hired, asking if they have such proof is legal.	"What country are you a citizen of?" Whether an applicant or their parent or spouse is a naturalized or native-born U.S. citizen. Date when applicant or parents or spouse acquired U.S. citizenship.
Credit Report	None	Any inquiry concerning an applicant's credit rating, charge accounts, past assets or liabilities, or garnishments.
Education	Applicant's academic, vocational, or professional education, including school attended. Inquiry into language skills, such as ability to read, speak, and write in foreign languages.	Dates of attendance or completion of elementary or high school. Inquiries asking specifically the nationality, racial, or religious affiliation of a school. Inquiries as to what the mother tongue is or how foreign language ability was acquired.
Family	None	Cannot inquire concerning an applicant's spouse or spouse's employment or salary, number of children, childcare arrangements, or marriage plans.
Disabilities	Can inquire concerning specific disability that might affect an applicant's ability to perform job requirements. If the answer is "yes," a follow-up question should be asked: "Is there anything that can be done to accommodate your disability so you could do the job?"	"Do you have any handicaps?" or any general inquiry as to diseases an applicant may have had. Questions regarding receipt of worker's compensation.
Language	Can inquire into an applicant's ability to read, speak, or write specific languages when such skills are related to the job for which the person is applying.	Cannot inquire as to how an applicant acquired the ability to read, speak, or write a foreign language.

**EEOC Pre-Employment Inquiry Guidelines (cont'd)**

SUBJECT	LAWFUL INQUIRIES	UNLAWFUL INQUIRIES
Marital Status	None	Cannot inquire as to an applicant's marital status.
Military Record	Type of education and experience in service as it relates to a particular job.	Type of discharge. Questions regarding service in a foreign military.
Name	"Have you ever been employed under another name that I should know to check references?"	Inquiries about the name that would indicate an applicant's lineage, ancestry, national origin, or descent. Inquiries into previous name of applicant where it has been changed by court order, marriage, or otherwise.
National Origin	None	Cannot inquire concerning an applicant's lineage, descent, birthplace, native language, or origin of the applicant's parents or spouse.
Organizational Membership	"Do you belong to any organization in which you've gained experience that you think may be related to this job?"	"List all of the clubs, societies, and lodges to which you belong." General questions regarding organizational memberships that are not job-related.
Pregnancy	None	Cannot question regarding an applicant's past or present pregnancies and future plans concerning pregnancy.
Race/Color	None	Cannot inquire concerning race or physical characteristics, such as height or weight.
Relatives/Friends	Names of an applicant's relatives already employed by the company. Names and addresses of parents or guardian of minor applicant.	Name or address of any relative of adult applicants. "With whom do you reside? or "Do you live with your parents?"
Religion/Creed	Statement by employer of regular days, hours, or shifts available.	Questions regarding an applicant's religion. Religious days observed or "Does your religion prevent you from working weekends or holidays?"
References	"By whom were you referred for a position here?" Names of persons willing to provide professional and/or character references for applicant. Name of person who suggested that applicant apply for a position at the company.	Require the submission of a religious reference. To request a reference from an applicant's pastor.
Salary	Questions concerning salary history and whether the salary being offered is acceptable (except where prohibited by state law).	Any inquiries or statements that might suggest that men and women or minorities and non-minorities are paid at different rates for work of equal value.
Sex	None	Cannot inquire concerning an applicant's sex or sexual orientation.



Before interviewing, we encourage you to review the following information that has been helpful to us so you can get the most out of the interview.

Do conduct the interview in a quiet, private, comfortable place.  
Do try to put the applicant at ease from the start with brief, friendly conversation.  
Do show interest in the applicant.  
Do clearly outline the requirements and essential elements of the job.  
Do explain all conditions of employment.  
Do encourage the applicant to ask questions and talk about themselves.  
Do listen; an applicant should do most of the talking.  
Do ask questions that are specific to the position you are looking to fill.  
Do close the interview by providing information about the next step in the process, if applicable.

Don't keep an applicant waiting; this increases anxiety and could give the applicant a negative impression.  
Don't build false hopes.  
Don't oversell the position.  
Don't give opinions; only provide answers to any questions that are asked.  
Don't prejudge an applicant.  
Don't develop a "canned" interview.  
Don't use inappropriate or non-job-related excuses to turn down a candidate.  
Don't send applicants away upset or angry. Make sure they leave with a positive feeling, whether or not you plan to offer them a job.

Also, we suggest you consider these additional guidelines:

- Most applicants are nervous during interviews. Try to make applicants feel as comfortable as possible.
- Give the applicant some background and history of the Gold's Gym brand and system. Explain the business, the system, and your core values. Explain that your business is a franchise within the Gold's Gym system.
- When you ask a question, wait for the applicant to respond; resist the temptation to converse. Silence can be a powerful tool for eliciting additional information.
- Observe the applicant's body language. Is there a level of enthusiasm? Does the person sound confident? Does the applicant consistently make eye contact?
- If the applicant gives you an incomplete answer to a question, ask for clarification or ask additional follow-up questions to obtain clarification.



- We encourage you to discuss the schedule.
- Give the applicant an accurate picture of the job. Be sure to explain the demands of the job and the flexibility and reliability required.
- Use your intuition. If something doesn't feel right, investigate. Sometimes uncomfortable facts have to be uncovered, but better now than later. If you are unsure about the applicant, consider asking the individual to return for another interview. Many times, you are better able to determine what an applicant is really like on a second interview; generally, the individual is less nervous during that time.
- End the interview on a positive note. Let the applicant know what the next step in the process will be and when to expect notification of your decision.

Above all, remember to consistently use the same job-related criteria for all applicants. As you consider the applicants you have interviewed, keep in mind that you should make your selection on the basis of ability as demonstrated by past performance, employment history, and education. Past performance is usually the best predictor of future job successes.

## Conducting the Interview ◀

First impressions will tell you a lot about an applicant who wants to be hired and will tell the applicant a lot about you and the Facility. Be observant throughout an interview. Your goal is to collect enough information on the applicant to make an informed decision. At the same time, develop an accurate picture of the job for which you are hiring and communicate that to the applicant. Ultimately, you need to determine the ability of an applicant to successfully perform the duties of the job. As we have discovered in our own hiring processes, you may find the following steps useful.

### **Step 1**

Greet the applicant when they arrive. Make the following initial observations:

- Is the applicant appropriately dressed for the interview?
- Does the applicant make eye contact?
- Does the applicant seem confident, yet approachable?
- How is their energy?



## **Step 2**

Discuss the applicant's background. Encourage the applicant to talk about their experience and impressions. As the applicant talks, be observant.

- Is the applicant personable?
- Is the applicant a good communicator?
- Does the applicant present themselves well?
- Does the applicant seem to be knowledgeable about fitness?
- Does the applicant seem genuinely interested in Gold's Gym?

Encourage the applicant to talk about their experience and impressions by asking open-ended questions about their fitness experience, preferred workouts, leadership style, and so on.

If you feel the applicant is not qualified, you might consider ending the interview at this point by thanking the applicant for their time and informing them that you will be making your decision in the near future.

If the applicant tracking system (ATS) has the capability to log interview notes, you should be utilizing that. If the ATS doesn't have that capability, we recommend developing your own **Interview Guide** (see sample in the **Forms and Samples Appendix**) that you can utilize to keep notes during the interview.

## **Step 3**

If the applicant has indicated higher pay or benefits expectations than what you are offering, point this out. If the applicant indicates that they would refuse the job for this reason, end the interview. Then make sure you don't hire another candidate for higher pay or more benefits than what you indicated to this applicant you are offering.

## **Step 4**

Allow time for applicants to ask you questions they may have about the Gold's Gym brand generally, your Facility, the job, or their expectations. This will sometimes help to shed some light on whether or not an applicant is really interested in the job, especially if the questions are more specific regarding duties, the typical workday, etc.



## **Step 5**

After the initial interview rounds, candidates may be scheduled for a secondary interview, especially for management positions, to delve deeper into their qualifications and fit for the role. For potential personal trainer candidates who have passed the initial in-person interview, consider a practical demonstration or workout session as a next step. This would allow you to further assess the applicant's skills, enthusiasm for fitness, and compatibility with the tech-driven approach that is prevalent in the Gold's Gym system, ensuring they align with those innovative fitness ecosystem and training standards.

## **Step 6**

If you are still interested in the applicant at the end of the interview, let the applicant know that you would like to check their references and order a background check; obtain their consent for both.

State laws may have restrictions when it comes to background checks before an offer is made. A small number do not allow it or limit it. Make sure you comply with state laws regarding job offers.

Thank them for their time and interest in the job. Be careful not to make any promises or statements about whether there will be a job offer. Simply explain that a decision will be made once all scheduled interviews have been conducted. If an applicant has not “ticked the boxes,” thank them for their time and don’t build expectations regarding future contact.

## **Sample Interview Questions ◀**

You are also trying to determine if this person seems to be a good fit. To accomplish this, you should let applicants do most of the talking. However, knowing what questions to ask during an interview is very important. While you want to ask specific questions, remember that there are guidelines that dictate the types of inquiries that are unlawful according to the EEOC. Below are some sample interview questions that you might consider when interviewing your candidates.

- Sample questions to kick off the interview:
  - Tell us something about yourself that is not on your résumé.
  - Why do you want to join our company?
  - What do you know about the Gold's Gym system so far?



- What do you expect from the job position based on job posting, research, etc.?
- What are you looking for in your next career step?
- Did you have any questions that came to your mind after having your first phone screen with HR/after your first interview with us?
- Sample questions regarding résumé/career:
  - Why are you open to a career change at this very moment?
  - What was the biggest learning you had during your career so far?
  - If you do not get this position, what are your next steps/where do you see yourself instead?
  - What will you miss most about your last job?
  - What are you happy to leave behind in your last job?
  - Please describe your work routine in your last position so that we can get an impression of your daily work.
  - What needs to happen in one work week so that you leave the office on Friday telling yourself, "I have the best job ever!"?
  - What will your boss (your colleagues/your team) miss most about you?
  - What was the biggest challenge you faced during your career so far?
  - What are you most proud of when looking at your career so far?
- Sample questions to help determine culture fit:
  - Please describe a conflict from your past that you had with a co-worker, colleague, or supervisor.
    - What was your part in the conflict? And what was their part?
    - How did you handle the situation?
    - On a scale of 1–10, how difficult was it for you to address this conflict?
    - What was your biggest learning?



- Which do you think is more serious - a technical or a personal mistake?  
Example: Someone did approved an invoice that they didn't check and the bill turns out to be too high by \$1,500. Or someone talked behind the back of a colleague and spread rumors about them failing a project.
  - If you could choose a company only by the values it is working by, what three values would be the most important to you?
    - How would you know that the company is not living by those values, but just pretending?
  - Imagine your project has been discontinued because it is of low priority. How would you rate this situation? How often would this have to happen until it would bother you/stress you?
  - What do you think would be the hardest challenge for you, if starting with us?
  - What would your leader (the company) have to do to make you quit your job?
- Sample questions to help gauge leadership skills:
    - What criteria do you use to select your team members? List specific characteristics, traits, and/or values that are important to you when hiring new people.
    - What makes your strongest team member? (if applicant is only concerned with technical/numbers) and what are some concerning personality traits?
    - Which tasks did you delegate to your team members? Which didn't you?
    - What can your team members learn from you?
    - How can you tell that your team members make a strong team?
      - What steps would you take when you would feel the opposite?
    - How will you measure the success of the person in the position \_\_\_\_?
    - What was the hardest staff decision you had to make so far?

Note that the above questions (aside from the leadership questions) would generally be appropriate for any candidate regardless of the position they applied for. You will also want to make sure you also have a set of questions prepared that are specific to the position they are interviewing for.



For example, you would also want to ask a personal training candidate questions like “How do you build a client’s trust?” and “How would you develop each client’s specific workout plan?”

## Hands-On Interview/Demonstration of Skills ◀

During the hands-on interview for personal trainer (PT) applicants, which is highly encouraged, candidates are typically invited to take the manager through a complimentary PT session (in our experience with hiring PTs for facilities we or our affiliates own). This practical demonstration serves as a valuable opportunity for us to assess various aspects of their training abilities and guest interaction skills. Throughout the session, we pay close attention to several key factors. First, we evaluate their effectiveness in getting to know the client and understanding their fitness goals, ensuring they can tailor the workout accordingly. Second, we assess their ability to design a workout plan that aligns with the client’s needs and objectives, demonstrating their competence in program design. Additionally, we observe how well they train and cue the client during the workout, gauging their communication skills and training techniques. Lastly, we look for their capability to make a confident and professional recommendation regarding personal training services at the conclusion of the session, showcasing their ability to articulate the benefits of continuing with PT sessions to achieve the client’s fitness goals. A sample **Practical Interview Guide**, including detailed instructions and evaluation criteria, can be found in the **Forms and Samples Appendix** for further reference. Overall, this kind of hands-on interview can provide valuable insights into the candidate’s proficiency and whether they possess the necessary qualities to excel as a personal trainer within our fitness ecosystem.

## Certifications ◀

All new hires for positions requiring certifications, such as personal trainers (PTs) and group fitness instructors, are required to possess the necessary certifications according to state and local requirements. Additionally, all fitness and Kids Club staff must hold current CPR/AED certifications. While you have the option to cover the cost of these certifications, it is common for staff to either already possess these certifications or be required to obtain them independently before starting their roles. This can demonstrate that team members are fully prepared and equipped to provide safe and effective fitness services while maintaining the highest standards of safety and professionalism.



## Reference Check Procedures ◀

We recommend you do some checking into history and personal integrity of any applicant you are considering hiring. If there is anything that would keep you from hiring a person, you want to know that now, not later.

Check into an applicant's employment history to verify the information the applicant provided and to gain some additional insight into the applicant's work habits. Make sure you always receive an applicant's consent to speak to references before actually contacting them.

Then be sure to contact at least one of the references provided and contact at least two previous employers to verify employment, position, and job tasks. Use an applicant's previous employers to complete a **Reference Check** (see sample in the **Forms and Samples Appendix**).



## Orienting New Team Members

We have found that a proper orientation for a new team member is critical to their long-term success in the Gold's Gym system. . This discussion outlines many of the practices we have found to work well in orienting a new team member. Feel free to adopt any of these practices that you think would work well in your business.

The training and development of your team members starts with an orientation to the business. As with any new relationship, the first few hours and days new team members spend on the job will shape their impressions and attitudes moving forward.

You should ensure new team members receive a well-organized and thorough orientation to the Gold's Gym brand and system, as well as their duties and responsibilities on the job with your Facility. Proper orientation will help ensure your new team members understand the values upheld by you and the system and are ready to become enthusiastic members of your team. Beginning a new job is always intimidating, so you should make it a priority to gain the trust of your new hires and motivate them to contribute to the success of the team.

### New Hire Paperwork ◀

Once you have welcomed a new team member and have briefly described the orientation and training process, there is information you may need to provide and forms you may need to have the new team member complete and sign for legal reasons. Each team member should have a team member file, which should contain copies of the completed employment application, résumé (if applicable), reference check, background check (if applicable), and the additional forms listed below. We highly recommend automating this process through your payroll system.

- W-4 Form—declaration of withholding for income tax
- I-9 Form—verification of eligibility to work in the U.S.
- Applicable workers' compensation information
- Equal Employment Opportunity information



Although a **Team Member Status Change Form** (see sample in the **Forms and Samples Appendix**) is not completed at this time, it is a good idea to make sure the team member knows it exists and that it should be completed if any personal information changes, such as marital status, change in federal withholding, or change of address or phone number. This will help you maintain current personnel information for payroll purposes.

Finally, ask to see the team member's driver's license (or other photo identification), as well as their social security card, birth certificate, or any other employment eligibility card or document. All information should be kept in the team member's electronic personnel file.

**An exception to the above rule:** To protect the confidentiality of the information contained in individual personnel files, all I-9 Forms should be kept together in a separate file, not in each individual's personnel file.

## Orientation Process ◀

Once the new hire paperwork is completed, there are some additional steps that may help orient the new team member to your Facility and the Gold's Gym system.

**Step 1:** Review pay, work schedule, benefits, and pertinent company policies/procedures. To confirm your new team member's understanding of the terms and conditions of employment, these areas should be covered in detail. Your new team members should complete this phase of orientation with a basic understanding of how your pay and benefits programs work (if applicable), what benefits they may initially be eligible for and what, if any, waiting periods for eligibility are required.

**Step 2:** Give new team members an overview of the operation. During this phase of orientation, a team member's personal work schedule should be reviewed, as well as related time-keeping procedures. On the first day, policies such as reporting personal absences/tardiness, uniform/dress, etc., should be addressed.

Your goal in orientation and training should be to provide team members with the information they need to excel in their jobs, which will ultimately help your business to reach its maximum potential. Outline all of the standards you expect your team members to meet and then provide the training needed to enable your team members to meet your expectations.

Discuss the Gold's Gym brand and walk new team members through your Facility.



## Training Staff

As business owners, we understand that good team members are the very foundation of success. The time and money you invest in training will provide strong returns in the form of confident, efficient team members and happy, loyal members and clients. In order to train effectively, you must have a plan that outlines the content, duration, location, and execution of your training program. Having trained many team members for this business, we have developed systems that serve as our best practices.

### Initial Training ◀

During the initial training phase, you are required to ensure that all new hires receive comprehensive instruction to excel in their roles. Here's how we do it for our employees:

- **Tailored Training Manuals:** We've meticulously crafted training manuals for each position, providing detailed guidance and reference materials. These manuals cover essential aspects of the job and are conveniently accessible through our learning management system (LMS), Gold's Gym Academy.
- **Hands-On Shadowing:** Trainees are paired with experienced team members to shadow their daily tasks and responsibilities. This hands-on experience allows them to observe real-world scenarios, ask questions, and gain insights into the intricacies of their roles.
- **Online Training Modules:** In addition to shadowing, new hires are required to complete a series of online training modules available through Gold's Gym Academy. These modules cover various topics relevant to their positions, including member service, safety protocols, and operational procedures. The self-paced nature of these modules allows trainees to progress through the material at their own convenience.

This combination of practical experience and structured online learning ensures that our team members are well-equipped with the knowledge and skills necessary to thrive in their respective positions. By providing comprehensive training, we empower our team to deliver exceptional service to our members from day one.



## Use of the Learning Management System (LMS) ◀

As a franchise owner and upon signing the Franchise Agreement and completing live training sessions, you gain access to Gold's Gym Academy, where you are granted administrative privileges to utilize this as a tool to help train your team. This allows you to efficiently add new team members as you hire them. Courses within the LMS are conveniently grouped by position, enabling easy navigation and targeted learning. Additionally, assessments are integrated into some training videos to reinforce key concepts and measure comprehension. You have the flexibility to assign courses and track team member progress, ensuring that training objectives are met effectively. With Gold's Gym Academy, you are empowered to facilitate comprehensive training programs and cultivate a skilled workforce dedicated to delivering exceptional service to our members.

## Ongoing Training ◀

Well-trained team members are key to business success and providing excellent service. Remember that the best athletes in the world train on a regular basis. Their natural abilities only take them so far. They only succeed when they strive to continually improve their skills through ongoing instruction and repeated practice. Emphasize to your team members that all of us are continually learning and need to be open to growth.

Why is it important to view the training process as an ongoing one? There are several reasons:

- Responsibilities may change from time to time after initial training is completed.
- Your policies and procedures may change.
- Equipment, products, and services may change.
- The Gold's Gym system's standards may change.
- All team members should be given the opportunity to gain additional knowledge that would enable them to maintain long-term employment with Gold's Gym.
- Performing training enables experienced team members to become the "trainers" and establish themselves as people who are in the know and who are willing to share their knowledge with someone else.



There is always something more to learn about the many aspects of performing high-quality training, and there is always something new to learn as a result of change.

## Required Certifications ◀

Ensuring that required certifications are maintained is crucial for upholding industry standards and providing high-quality service to our members. This includes staying updated on continuing education requirements dictated by different certifications relevant to specific roles. To streamline this process, we recommend tracking certifications either through a platform like Club Connect or manually. We advise checking in on certification status quarterly to ensure compliance and address any potential gaps in training. By prioritizing ongoing education and certification maintenance, you uphold the Gold's Gym system's commitment and your Facility's commitment to excellence and professionalism in all aspects of operations.



## Developing Your Personnel Policies

As a business owner, you must develop personnel policies that clearly define guidelines for your team members' conduct within your organization. Once developed, you will then need to modify, expand, and consistently apply and enforce these policies as your business grows and changes.

To ensure consistent and uniform enforcement of the policies you establish, we recommend that you develop a team member handbook to serve as a code of conduct. Whenever you issue a handbook, obtain the individual's signature to acknowledge receipt and understanding of the handbook. File the signed acknowledgement in the individual's personnel file.

The list of topics on the next pages will give you an idea of the subject areas for which you might consider creating formal policies. As a business owner, you will want to establish policies in these areas to suit your particular operation. Always make sure the personnel policies that you do establish, and your enforcement of them, conform to applicable laws.

Note that we may provide sample copies of policies as a guideline, but you are responsible for drafting your own policies for your employees.

Subject Area	Policy Statement
Absenteeism	
Bereavement leave	
Computer software	
Confidentiality	Refer to your Franchise Agreement.
Conflict of interest	
Criminal violations	



<b>Subject Area</b>	<b>Policy Statement</b>
Dress code requirements	
Drug/Alcohol abuse	
Holidays	
Internet abuse	
Jury duty	
Leaves of absence	
Maternity/Family leave	
Meal/Break periods	
Military leave	
Open door policy	
Outside employment	
Overtime	
Personal appearance	Refer to dress code requirements.
Personal information	



<b>Subject Area</b>	<b>Policy Statement</b>
Personal property	
Re-employment	
Relatives, employment of	
Resignation	
Safety/Security	
Sexual harassment	
Solicitation	
Tardiness	
Telephone/Fax usage	
Uniforms	Refer to dress code requirements.
Workplace violence	
Workweek	



## Scheduling Staff

When it comes to scheduling staff efficiently, we typically recommend utilizing your payroll system or point of sale (POS) software to manage shifts effectively. Scheduling should be based on ensuring adequate coverage during peak hours and busy periods to maintain smooth operations and excellent member service. Additionally, we highly recommend having a General Manager (GM) or Assistant General Manager (AGM) present at all times to oversee operations and provide support as needed. This ensures that key personnel are available to address any issues that may arise and uphold the Gold's Gym standard of excellence throughout the day.



## Time Tracking Procedures

An essential part of managing your team is requiring them to report their time worked. You must have an accurate record of the hours worked by all team members to ensure adherence to all government wage and hour regulations.

Time reports, in any form, are considered company property and should not be taken from assigned areas. At the end of each pay period, you must check all time reports for accuracy and total hours worked to ensure proper processing of payroll checks.

We recommend you have your team members clock in and clock out through either your POS or payroll software.

- Time sheets should not be altered without management approval.
- No team member should be allowed to clock in or out for another team member.
- Team members should clock in when they arrive at the Facility, not from their mobile device prior to arrival.
- If a team member forgets to clock in or out, they must notify a supervisor immediately to make the correction.
- If a team member must make a change or other notation regarding their time report, you or the team member's supervisor must approve and initial the change.

At the end of each pay period, check all time reports for accuracy and total hours worked to ensure proper processing of payroll checks.



## Training Staff

Training staff is an integral part of fostering a positive work environment and ensuring continuous improvement in service delivery. It involves providing guidance, support, and constructive feedback to empower team members to reach their full potential and deliver exceptional experiences to our members.

### Motivating Staff ◀

Motivating your staff is essential for fostering a positive workplace culture and driving productivity. By recognizing and celebrating achievements, offering opportunities for growth and development, and providing regular feedback and support, you can inspire your team to perform at their best. When team members feel valued, supported, and motivated, they are more likely to take pride in their work, demonstrate enthusiasm for their roles, and go above and beyond to meet the needs of our members. Ultimately, a motivated staff contributes to higher levels of member satisfaction, increased team member retention, and overall business success. Therefore, prioritizing motivation and morale among your team is crucial for creating a thriving and dynamic work environment.

### Conducting Staff Meetings ◀

When conducting staff meetings, the frequency and format may vary depending on the dynamics of your particular business. While some may prefer whole-staff gatherings on a monthly or quarterly basis to discuss overarching goals and initiatives, smaller group meetings may be more appropriate for more frequent updates or specific departmental discussions. The key is to ensure that all team members are kept informed, engaged, and aligned with the objectives of the business, fostering a collaborative and cohesive work environment. By adapting the frequency and structure of staff meetings to suit the needs of your team, you can effectively communicate important information, address any concerns, and promote teamwork and synergy among your team members.



## Record Keeping Requirements

It is essential to adhere to record keeping requirements to ensure compliance with corporate policies and federal and state laws. A comprehensive guide is available via this [link](#) from SHRM (Society of Human Resources Management). This guide provides detailed information on record retention guidelines for employee files, payroll files, I-9 forms, and more can be valuable resources.



## Dress Code

The image of your Gold's Gym business is reflected in the way your team members dress. Your members will form their impressions through their contact with your team members, so we encourage you to ensure your team members are abiding by your established standards of appearance and dress. Uniforms options are available through our approved licensed retail vendors.

Dress code guidelines:

- All clothing must be clean, not be too revealing, fit properly, and be in good condition.
- Shoes: Closed-toed, athletic shoes only. Open-toed shoes, sandals, or boots are not permitted.

In addition to attire, there are other general standards you should impress upon your team members. Remember that the appearance of your team members is one of the factors making a positive contribution to your image and, given the environment of, and activities conducted in, your Facility, they might also have safety implications. You must instill in your team members the pride you possess in the Gold's Gym brand and your Facility.

- Team members must always project a clean and appropriate image.
- Attire should only be part of your standards for appearance. Hygiene and personal appearance are also important—all team members should be well groomed.
- Team members must have well-groomed hair.
- Ear piercings must be small and must not present a safety hazard while working out.

Under no circumstances should dress constitute a safety hazard. In addition, all team members should practice common sense rules of neatness, good taste, and comfort.



## Conducting Performance Evaluations

While developing reliable and effective team members certainly depends on the quality of the training they receive, it also depends on providing continual feedback regarding the work they are doing. We have found that constantly keeping the lines of communication open and complimenting team members when they have done a good job has paid dividends. When there is room for improvement, we have found that focusing on providing suggestions and showing them what could have been handled differently has resulted in improved performance.

One thing you must remember is that the evaluation process actually begins on a team member's first day of employment, when you and the team member reach a mutual understanding of what needs to be accomplished. If expectations are not clearly stated, mutually understood, and presented in measurable terms, performance will be difficult to evaluate and may not reflect the desired results.

We have more formal sit-down conversations with our own team members twice a year. We are sharing our approach with you as we have found it to be helpful. You are free to choose to follow our process or create your own process, or not do it at all.

A formal performance evaluation is most effective when it serves as reinforcement of ongoing discussions you have held with your team members regarding their performance. We like to do these more formal reviews annually.

Such an evaluation serves several purposes:

- To provide a regular, periodic opportunity for communication between the person who assigns the work and the person who performs it.
- To show team members that you are interested in their job progress and personal development. This should foster high morale and job satisfaction.
- To enable discussion of mutual expectations and how well those expectations are being met.
- To provide you with a systematic guide for planning future training for team members.



- To guarantee that each team member's performance is evaluated on the basis of considered judgments and a set of criteria—not on snap decisions or inconsistent standards.
- To assist in discovering, determining, and recording the special talents and knowledge of team members that otherwise might go unnoticed or unrecognized.
- To give team members an opportunity to brainstorm and to discuss job problems, interests, and aspirations with you.
- To gather data for use as a guide for such actions as wage increases, promotions, disciplinary action, etc. It should be noted that evaluations should never be the single factor in such cases.

## Preparation ◀

Prior to conducting a sit-down with a team member, gather relevant data concerning job requirements, metrics, goals, and the established performance objectives (goals and standards). This information will aid you in assessing a team member's performance during the designated evaluation period. While the team member should work with you to formulate an action plan for future development, you must be prepared to lead and facilitate the discussion.

To prepare, measure the team member's performance objectively against their established goals and standards. We recommend the following guidelines:

1. Review the specific goals for every team member versus that team member's performance.
2. Set aside time to meet with each team member to discuss the formal performance evaluation.
3. Ask them how they feel about their performance and any goals they set for themselves.
4. Share any relevant data with the team member related to their performance.
5. Ask the team member to review the information you have provided and complete a fair and honest self-evaluation, as if the team member were the owner or manager.
6. You may want to complete a written review for each team member.



7. Discuss all positive skills, traits, and accomplishments.
  - Identify all areas where improvement is required.
8. Make and agree upon training and development recommendations.
9. Work with the team member to set specific goals for the next review period.
  - Ask the team member if they have any questions or issues they would like to discuss.
  - Thank the team member for their contributions and anticipated effort.

## **After the Review Meeting ◀**

1. Complete the written review, summarize results, and sign the form.
2. Store the completed review form in the team member's personnel file.
  - Continuously monitor progress and provide resources and support, as necessary, to help the team member achieve their goals.



## Progressive Discipline Procedures

In our and our affiliates ownership and operation of Gold's Gym Facilities, we have established an approach to treat performance and discipline problems in a consistent manner, but just as important, in a manner that provides not just discipline, but training and an opportunity for behavior change as well. In all but the most serious cases, we give our team members the right to be advised of incorrect behavior or performance that is below standard and then be given an opportunity to correct the problem. We recommend that you consider approaching performance and discipline problems in a similar manner. An excellent manager never surprises a team member with termination, nor do they use termination as the primary means of accountability. Instead, an effective manager always lets a team member know where they stand.

The balance of this discussion details the process we follow. It is given to you as a suggestion, which you are free to follow or not. Whatever you choose to do, make sure you talk to your employment attorney to ensure your process for handling disciplinary issues is consistent with the law. As an independent business, you are responsible for discipline guidelines and procedures. We will not discipline your employees, nor do we have the authority to do so.

The following are situations you may encounter and disciplinary steps to take:

- Failure to perform job requirements – A team member does not meet or execute the job description, has shown a lack of effort to achieve a goal, or demonstrated behavior that is incongruous with our culture.
- When a team member's performance is found to be deficient, consider the following progressive discipline approach:
  - 1st offense    Oral warning
  - 2nd offense    Written warning
  - 3rd offense    Final Warning
  - 4th offense    Termination
- This approach is designed to allow problems or concerns to be addressed and then monitored for improvement.



- Whenever you take disciplinary action, consider completing a **Write-Up Form**. If at any step in the process, a team member refuses to sign the form, be sure to note this on the completed form. Also, we recommend that you always have a witness sign all documentation as proof that information was communicated to a team member.
- When handling discipline situations, you must take into account the legal realities of the situation and the need to be fair to your team members and your business.



## Termination/Separation Procedures

A termination occurs whenever a team member is separated, for any reason, from employment with your business. We have established policies for handling terminations and separations within our own organization. We are sharing those with you here. You are free to adopt these policies or create your own. Whatever you choose to do, make sure you talk to your employment attorney to ensure your process for handling termination/separation issues is consistent with the law.

### Termination ◀

While a progressive counseling system is recommended to handle performance and disciplinary problems (see "**Progressive Discipline Procedures**"), there are actions that with our own team members, we consider to be gross violations of policy and, thus, be grounds for termination. It is not possible to list every possible unacceptable action; however, these are some examples we have implemented for our own team members:

- Possession, sale, purchase, transfer, use, or being under the influence of drugs or alcoholic beverages on company time or premises.
- Possession of dangerous weapons on premises.
- Falsification of payroll records; submitting time for work not performed.
- Immoral or indecent conduct, soliciting persons for immoral purposes, or the aiding or abetting of any of the above.
- Offensive, abusive, or hostile action toward a member, manager, or team member.
- Theft or misappropriation of company property or the property of team members or members, or unauthorized removal of any of the above.
- Unauthorized use of company property.
- Abuse or destruction of company property or the property of members or team members.
- Conviction of a felony and/or other crime involving moral turpitude.



- Taking or “borrowing” cash.
- Altering company records, including those of any other team member.
- Disrespectful conduct, such as gambling, fighting, coercion, defacing property, vulgarity, intimidation, or failure to be courteous.
- Falsification of employment records or other business-related documents, regardless of when discovered.
- Security violations or release of confidential information.
- Conflict of interest.
- Any unprofessional behavior, such as sexual harassment, racial discrimination, fighting, profanity, threats, abusive language, or malicious conduct directed at another team member, a supervisor, or a member.
- Illegal discriminatory practices or harassment.
- Disregard of instructions given by management.
- Failure to perform assigned duties satisfactorily, safely, and effectively.
- Refusal to comply with a business investigation.
- Sleeping or loitering on the job.
- Failure to follow established fire, safety, and civil defense rules, as well as common safety practices.
- Failure to maintain clean and sanitary conditions on the job.

In general, with our own team members, we consider any conduct that is unprofessional or is otherwise detrimental to our interests, our business, or the Gold's Gym brand as grounds for disciplinary action, up to and including immediate termination, if applicable.

To dismiss a team member from employment, we recommend you consider the following process:

- Conduct a face-to-face termination meeting with the team member to review the termination action.



1. Make sure you have a final, completed **Write-Up Form** on file. Have the individual sign the form to document your action to end the employment relationship and to verify compliance with your guidelines concerning termination.
2. Complete a **Team Member Status Change Form**. Have the individual sign the form to document your action to end the employment relationship.
3. Review final pay and other compensation issues.
4. Explain benefit rights (if applicable).
5. Document the return of all company property.

**Note:** We recommend that, unless prohibited by applicable law, consider not releasing the team member's final paycheck until all of your property and all Confidential Information has been returned or is otherwise accounted for. Best practice is to terminate the individual on your software, email, and any benefits programs.

- Even though a negative situation, do everything in your power to make the separation go smoothly.

If time does not allow you to complete the steps above, at the very least document any situations that arise concerning discipline.

## Separation ◀

A team member can also end the employment relationship by voluntarily resigning from a position. We ask our own team members to give us two weeks' notice so that we have time to find replacements and adjust the schedule. Below are several steps you should take to finalize such a separation:

1. Receive a formal resignation letter from the employee in writing and document receipt of the resignation letter.
2. Conduct an exit interview with the team member to learn how the person felt about the job, management, and your Gold's Gym Facility. The information you obtain from these interviews may aid in any future unemployment claims, discrimination charges, or hiring.
  - Try to uncover the real reason the individual is leaving. Look for any areas in which you might improve team member relations to avoid possibly losing good team members in the future.



3. Complete a **Team Member Status Change Form**. Have the individual sign the form to document your action to end the employment relationship.
4. Review final pay and other compensation issues.
5. Explain benefit rights (e.g., insurance, profit sharing, etc.).
  - Document the return of all of your company property and all Confidential Information.
6. Ensure a comfortable separation. Do everything in your power to part on a positive note.