

The Importance of Equipment Safety

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Over the last 10 years, the fitness industry has introduced a variety of new fitness equipment ranging from fancy treadmills to plate-loaded machines that also use your body weight as resistance. The surge in online fitness videos and the lack of regulations on education requirements are putting the public at huge risk considering the details are often overlooked which leads to gym equipment not being used in the manner prescribed by the manufacturer. Misuse of equipment is something I see quite often in many gyms and on the internet. To avoid potential fitness professional liability issues, it is important for personal trainers and members to use all gym equipment according to the manufacturer's guidelines. Violating these guidelines may create a liability for both the gym and the fitness professional. All equipment has instructions posted on it regarding proper use. In some cases, it even specifically states "to avoid injury, do not use this equipment other than its intended use." When a trainer misuses a piece of equipment, it may violate their professional liability insurance and gym operation guidelines. Insurers expect trainers to follow the guidelines set forth by accredited certifications and senior management in charge of gym operations to enforce said guidelines. While there is no specific law or regulation in the fitness industry, every health professional, including personal trainers, have an ethical duty to put safety first. It is reasonable for a consumer to believe that a fitness professional working at a gym is qualified and will, at the very least, follow all standard safety rules. [A study done between 2007-2010 by the National Electronic Injury Surveillance System \(NEISS\) shows that injuries caused by gym equipment was up over 45% when compared to previous years.](#) While misuse of the equipment was not the only cause of injury, it was certainly a major factor.

Gym staff and management may not be aware that turning a blind eye to members working out incorrectly may lead to future injury. One could argue that it is reasonable that an agent of the gym, at the very least, should ensure safety for every occupant. Misusing a piece of equipment can put bystanders in danger and may be a potential professional liability for any gym or fitness employee that allows it to continue. If someone gets injured from equipment misuse and incurs medical expenses, it is more than likely they would feel motivated to sue for those incurred expenses. Keep in mind, even if the gym is not found liable, the cost of a legal battle can be astronomical. In some cases, the personal trainer actually instructs their client to perform an exercise that does not comply with the manufacturer's intended use. Doing this is not only a violation of the manufacturer's guidelines, but it also violates the standards outlined in the professional liability section of most personal trainer certifications. In the event misusing equipment results in a client injury, the manufacturer will omit themselves from the suit and claim the trainer is liable for that injury.

When management sees a trainer misusing equipment, it is their duty to stop it from continuing because creating a safety hazard is against any gym operations policy. When members see a fitness

professional misusing equipment, it is likely they will believe that exercise is safe and effective. If the client gets injured while attempting to copy the fitness professional, they might claim that the trainer is at fault. Even though the personal trainer did not directly tell the customer to misuse the equipment, they may have a professional liability claim on their hands because one can argue that the trainer is an agent of the gym and is considered a figure of authority when it comes to fitness related topics. Allowing someone to do something dangerous may not be illegal but it certainly violates safety rules in any workplace. While this scenario's legal liability may not end up on the fitness professional or gym owner, they still may incur legal fees for a consultation at the very least. For this reason alone, I advise both the gym managers and their staff to always err on the side of caution and take the extra step to educate members and staff on how use the equipment safely. In addition, altering any of a piece of equipment, such as adding extra plates on the weight stack, would be considered misusing it. I have seen gym owners drill new holes in a machine to move the seat, which would violate the manufactures guidelines. Any alteration must be approved or performed by the manufacturer or it is considered a hazard. This will also void any warranty on the equipment.

The best way for an employer to avoid these fitness professional liability risks is through staff education. When a gym requires all staff have an accredited personal trainer certification, it can ensure your employees are well trained and thus, reduce professional liability risks. In addition to hiring qualified candidates, I recommend training the staff on basic safety practices and how to use the equipment specifically in your facility. While the certifications set guidelines, in most cases they do not go over how to use every piece of equipment ever made. In many cases, personal trainers do not take any practical workshops so they only see pictures of the exercises and never actually demonstrate them. Management needs to insure that education is part of the gym operations hiring process. The employer is responsible for making sure the employee knows how to navigate the gym and use all the equipment properly. A simple employee orientation can save someone from injury and mitigate the risk of being sued for misusing equipment. In the event an employee is caught misusing equipment, the manager must casually pull the trainer aside and privately tell them to stop. Do not let the client hear you because it may reflect poorly on the gym. If the trainer does it again, the manager needs to officially write them up. If it continues, it is best to terminate that trainer before someone gets a serious injury. In the event a member is caught misusing or altering a machine, management must inform them of the dangers of doing this. If the member continues, the management has the right to revoke membership because their actions are not only putting themselves at risk but other members as well. Most importantly, don't forget that in addition to safety, misusing equipment may damage the equipment and void the warranty.

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This was a guest blog written by [Charles DeFrancesco](#), Master Trainer with over 18 years of experience. He is certified by NFPT, NASM, NASM CES and holds specialties in flexibility, cancer, heart conditions and pregnancy. Charles is the chairman of the NFPT Board of Education and has written a variety of continuing education courses for NFPT. In addition to owning [The Arena Fitness](#), Charles also works as an expert witness. For more information, [click here!](#)