



Constructing the Ideal Health and Wellness Initiative

Find out what amenities firms are offering — and how to provide your employees with the best possible experience.



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By the time the American Bar Association officially announced its campaign to target lawyer substance abuse and mental health issues to the public in September, a number of law firms had already signed the associated pledge to institute specific treatment and prevention efforts — including Schiff Hardin.

Spurred by recent reports about stress being inherent in the legal industry, the 500-employee firm had established its own health and wellness initiative a few months prior — which made signing the document an easy decision, according to Managing Partner Marci Eisenstein.

“For us, it was a no-brainer,” Eisenstein says. “Long before then, we had made it clear it was a high priority; we were already well on our way to doing it.”

Schiff Hardin isn’t alone. In the past few decades, alarming findings about the legal industry have been cause for concern — such as the Johns Hopkins University research that indicated lawyers are 3.6 times as likely to be depressed as individuals in other occupations. Another

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study found attorneys exhibit harmful and potentially alcohol-dependent drinking habits at a significantly higher rate than other professionals.

In response, a number of firms have implemented initiatives to meter some of the stress associated with legal work and the potentially negative outcomes that can occur as a result.

Today, employee health benefits often include much more than just medical coverage — potentially encompassing elements to help resolve work-life balance challenges, such as unexpected child-care needs, according to Bruce Sammis, Chief Executive Officer (CEO) of insurance brokerage firm Lockton, which has helped structure health and well-being plans for legal and other organizations.

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HEALTH AWARENESS ADVANTAGES

Research indicates health and wellness programs can provide numerous positive results — including improvements in stress, overall health, depression and physical activity, according to results from the three-year study published in 2018.

They may also be able to help employers cut costs: An analysis of previous wellness program studies found medical expenses fall by more than \$3 for every dollar spent on wellness programs, and absenteeism-related costs decline by nearly \$2.75.

In 2017, two-thirds of law firms offered some type of wellness program, according to a survey conducted by Alliant Employee Benefits — 2 percent more than the year before, and a 9 percent increase from 2014.

While the majority (24 percent) focus on physical health, a sizeable portion of the programs also address other concerns — including employees’ emotional (22 percent), financial and occupational (20 percent), and social (13 percent) health.

Some focus on disseminating general information about healthy living to employees. Others involve on-site health screenings, flu shots and other services; some present an array of mind-body activities, ranging from yoga classes to health coaching and personal training.

To gauge which amenities would work best in its wellness program, Schiff Hardin distributed a survey in May 2018 that asked firm members to comment on proposed benefits and their work environment, work-life balance-related stress and overall engagement.

A few months later, the firm shared its findings with employees.

“We wanted to take a holistic, sustainable approach to wellness, driven by the needs and desire of our people; we weren’t just trying to check the box,” Eisenstein says. “[And] the survey didn’t evaporate into the ether. We said, ‘Here’s what we found, here’s what we plan to do’ so people knew it was a priority and we generated some excitement about it.”

The approach helped encourage employees to participate in the massages and meditation sessions the company began offering a few months later.

“People have really taken advantage of it,” Eisenstein says. “The feedback we’re getting is that they’re thrilled.”

BUILDING THE PERFECT PROGRAM

Law firms hoping to establish a health and wellness program will likely find there’s no one-size-fits-all solution.

Assessing employee needs is often the first phase in instituting an employer-sponsored initiative. Once your firm has a sense of what benefits would best resonate with employees, the following steps can help ensure the program you create provides the best participation and health improvement results.

Find a qualified partner to work with. Some firms decide to outsource program development or oversight. JoAnn Eickhoff-Shemek, PhD, FACSM, FAWHP, co-author of *Rule the Rules of Workplace Wellness Programs* and a

professor in the University of South Florida's Exercise Science program, recommends hiring a professional with a degree in health education — or from an exercise science program that includes health education courses — who'll be able to develop, implement and evaluate the program.

"Worksite wellness professionals can come from such diverse backgrounds; it's not a government-regulated profession," Eickhoff-Shemek says. "Almost everybody and anybody can call themselves a wellness professional. When employers say, 'Why am I not getting a return on my investment?' it's likely because of improper design and delivery of the program from the get-go."

Ensure your program is compliant with applicable laws. Some companies entice employees to participate in nonmandatory health and wellness initiatives through financial incentives, such as an \$800 health insurance premium reduction if employees agree to a health risk assessment.

Employees may be fine with taking the test; their firm, though, needs to ensure information that's being collected through any program or screening platforms isn't being sold or given to another party without employees' consent, according to attorney Barbara Zabawa, the other co-author of *Rule the Rules of Workplace Wellness Programs*, who owns the Center for Health and Wellness Law, LLC, a boutique law firm that provides services to the health and wellness industry.

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"I'd want to see the privacy and security policies and consent form; if [a third-party wellness vendor] tends to only protect identifiable information, I'd want to know why. Are they selling the de-identified information that can be re-identified later?" Zabawa says. "Firms have to be cognizant of what the vendor might be doing with the information."

Include easily accessible activities. The 20-minute duration Schiff Hardin chose for its monthly chair massages and 13-week meditation course seemed to be an amount of time

that would allow the firm to accommodate all interested employees — without stressing them out about being away from their desk for too long, according to Eisenstein.

"We made the massages short because we wanted everybody who asked to be able to get them; we didn't want it to [involve] the strain of, 'I've got to get to the front of the line,'" she says. "We also try to change the days of the week they're offered, so if you're a person who has a flex arrangement or a particular commitment [one day a week], you can reserve a slot."

Consider altering your office environment to enhance health. Since New York law firm Olshan Frome Wolosky instituted its wellness program several years ago, the mid-sized firm has overhauled numerous aspects of office life to support having a healthier lifestyle, according to Co-Administer/Partner Steven Gursky.

In addition to meditation sessions, an exercise challenge and in-office blood pressure screening, when the firm moved to a new office two and a half years ago, it decided to provide standing desks for employees where such desks could be accommodated.

"The studies were very clear that it increases productivity and is better for your back, kidneys, blood pressure; you can feel tension in the back of your neck when you're hunched over, leaning into a computer screen," Gursky says. "There's something about having a meeting standing around as you would at a bar table in a restaurant that's more energetic than someone slumped in a chair. People have really taken to it."

Offer more favorable food options. In addition to presentations on healthy eating, Olshan Frome Wolosky swapped some of its vending machine cookies and other sweets out for granola bars and raisins, added flavored water to its soft drink selection, and receives a fresh fruit delivery every couple of days to provide employees with nutritious snack options.

Food that the firm orders in also echoes its commitment to wholesome eating.

"A lot of our meetings, instead of a platter of sandwiches, are make-your-own-salad meetings," Gursky says. "It's just healthier. It has become popular and is always an alternative when you say you're having a meeting and need it catered."

"I understand asking people to add something else to their already busy lives is not necessarily an easy sell, but the benefits would be felt throughout the community — because when people are taking better care of themselves, everything runs more smoothly."

Stress that even small lifestyle changes can make a difference. Promoting wellness has been a focus for Maria Vathis, an attorney based in 1,400-attorney firm Bryan Cave Leighton Paisner LLP's Chicago office, since she began her term as President of the Federal Bar Association in October. A special committee within the organization is currently in the process of putting together a national fitness challenge Vathis hopes to roll out to bar association chapters in May.

In addition to the steps-based challenge, Vathis says she'd like to bring more awareness to the importance of legal industry members carving out time during the workday for self-care.

"Take a few minutes to yourself, get up, have some water, go for walk outside — just break up the day a bit," she says. "I'm not suggesting attorneys stop focusing on their job; sometimes you've just got to work on whatever you have that is due. But hopefully, not every day is like that and you have the flexibility to do something positive for your well-being."

Tap into additional industry group resources. The ABA's wellness pledge commitment form outlines seven steps firms can take to address and prevent substance-use disorders and mental health issues, ranging from de-emphasizing alcohol use at company events to providing self-assessment tools and establishing leave policies so employees are able

to seek treatment for mental health and substance abuse-related concerns.

Over time, Vathis expects more firms and bar associations will begin to promote health-bettering habits — allowing legal industry members to make decisions that will reduce their risk of illness, substance abuse and other negative health outcomes, and potentially also helping to improve the industry as a whole.

"Whatever your role may be, if you don't take care of yourself, you can't continue to take care of clients, cases and other responsibilities," Vathis says. "I understand asking people to add something else to their already busy lives is not necessarily an easy sell, but the benefits would be felt throughout the community — because when people are taking better care of themselves, everything runs more smoothly." ■

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