



Legal 101 for fitness instructors & yoga teachers

podcast episode 52 tip sheet

As a fitness instructor, personal trainer or yoga teacher, are you wondering what you need to know to protect yourself if you offer group classes or 1-on-1 sessions? Not sure if you need an LLC or insurance? What do you need to know if you offer online fitness classes?

Besides being a lawyer, I'm also trained as a health coach through IIN and life coach through CoachU. I'm also trained as a certified fitness instructor myself through the American Council on Exercise (ACE).

Here are 8 frequently answered questions that pertain specifically to fitness business owners:

1. How do I protect myself when teaching group exercise classes or yoga workshops?

Get certified. That should go without saying. You need to know how to teach proper form, modify exercises and asanas to help clients who have injuries, you need to create workout routines, and understand body alignment.

There are so many fitness certifications you can get, but I am a fan these 2 – the American College of Sports Medicine (ACSM) and the American Council on Exercise (ACE). For yoga teacher training, you can learn more about yoga teacher training classes through Yoga Alliance or Yoga Journal.

2. Use an Event Waiver.

Regardless of whether you're teaching a barre class, booty bootcamp, or yoga workshop, you'll want to use an Event Waiver with your clients. This is a fairly short but specific waiver legal document – usually just 1-2 pages – that lays out legal terms for clients when they come to your class. For example, the client agrees to:

- **Voluntarily participate in the class and they assume the risks** that come with movement of the body.
- **Disclose to you any injuries or conditions** that affect their range of motion or if they have blood pressure, etc.
- **Consent to first aid or emergency treatment** being provided if they become injured or there's an emergency during class.
- **Not sue you** as a result of participating in your class.



Learn more about a
DIY Event Waiver at

lisafraley.com/diyeventwaiver

3. When should clients sign the Event Waiver?

You want your clients to sign the very first time they come to a class or when they enroll at the gym or health club or yoga studio. It can be signed online with an electronic signature if you accept online registrations, but most people have their clients sign when they arrive in person to enroll in the class or program.

4. Can an Event Waiver cover more than just one class?

Yes. You can have a one-time Event Waiver if it's a one-time class or yoga workshop which means it only applies to that class or workshop, OR your Event Waiver can be written or tweaked to say that it applies to the first class the client attends and all subsequent classes as well.

5. What legal document should I use working with 1-on-1 clients?

If you're a fitness instructor or personal trainer who takes on 1-on-1 clients, it may depend on how you like to work. Are you holding 1-off private sessions, meaning clients can just purchase 1 hour of 1-on-1 training with you? Or do you sell sessions in packages like 6 yoga classes or 10 personal training sessions? Do clients meet with you in the gym or studio, or you travel to them to do private sessions?

- **If you're holding a 1-off session**, you might want to use the Event Waiver.
- **If you're selling packages** for 6 yoga classes or 10 personal training sessions, you'd want to be sure the Event Waiver covers multiple and repeat sessions.
- **If you're traveling to the client for private sessions**, you may need to include terms that cover transportation or any equipment that you bring with you, or the fact you or your client may be more exposed to harm if you're exercising in the client's living room rather than a gym or studio which is specifically arranged to maximize personal safety.

In these situations, talk with a lawyer to be sure your legal document that your clients sign covers the way that you uniquely work with your clients.

6. Am I putting myself at risk as a gym owner or health club owner if I don't have an LLC or S-Corp?

Right now, you're a solo biz owner without a formal entity if you own a gym or a health club. You're called a Sole Proprietor. This means that in terms of finances and liability, you and your business are one and the same. There's no business entity that separates you and your personal assets like your house and your savings account from your business and business assets like your gym equipment.

This means that if someone arrives for your 7:00am Vinyasa Flow class and slips and falls on the way in and sues you, YOU are personally liable. They can sue YOU. You don't have an LLC or corporation like an S-Corp set up yet as a layer of protection that limits your liability. However, it's not always the right decision to run out right now and create an LLC or S-Corp right this second. There are several issues to consider when forming an LLC or S-Corp. To get you started, you may want to tune into some of my prior podcast episodes to give you some good basic info about LLCs and S-Corps:

- **Listen in to Episode 6 called "When Do I Need an LLC" to learn more about the right time to form an LLC.**
- **Listen in to Episode 13 called "What's an S-Corp and When Do You Need It?" to start thinking about whether an S-Corp is the right entity for you.**

Of course, as always, I recommend talking with your accountant and your lawyer to determine whether it makes sense for you to move forward with an LLC or S-Corp after looking at your particular situation in its entirety.

7. Do I need to have insurance?

Yes. I HIGHLY recommend it as a fitness instructor, gym owner, health club business, yoga teacher, pilates instructor – you name it!

Movement and risk go hand in hand. Although you want your clients to sign Event Waivers, Event Waivers are not the “be-all-end-all.” You want to cover your bases and insurance is also highly recommended.

- **If you're a personal trainer or yoga teacher**, you might want personal liability insurance.
- **If you own the gym or yoga studio**, you'll likely also need insurance for the building and general liability insurance.
- **If you're renting space** to teach your 6:00pm Power Up Kickboxing Class, you may need renter's insurance.

You want to talk with your own insurance agent to find out exactly what type of insurance you need and how much coverage it takes. You can also inquire about insurance through various organizations related to fitness.

Here is a list of Insurance Companies for Fitness Professionals you can keep as a reference:

Disclaimer: You always need to do your own research, ask questions and find a company that best suits you. These are just suggestions, not endorsements by me.
There are sooo many companies.

1. Alternative Balance* – Provides insurance for personal trainers, fitness instructors, Pilates instructors, yoga teachers, aerial yoga teachers, dance instructors, health coaches and more.

(*This is my favorite insurance company for health and wellness professionals which is why I am a proud affiliate. I know the owner personally and I recommend this company frequently.)

2. Yoga Alliance – Member perks include liability insurance for yoga teachers through Alliant.

3. K&K Insurance Group – Provides coverage for U.S.-based personal trainers, aerobics instructors, Pilates instructors.

4. NEXT Insurance – Simple, affordable and tailored liability insurance for fitness instructors.

5. Your Fitness Certifying Organization – NASM, ACE and other fitness-certifying organizations also provide access to insurance policies, sometimes with member discounts.

8. What do I need to teach fitness courses online?

Teaching classes online through Skype or Zoom – whether in person or in a group or through pre-recorded videos – is all the rage right now.

If you want to enroll clients in your online classes or programs through your website, you'll want to make sure that during the enrollment process, that your clients tick the box and agree to your **Terms of Use**.

Your Terms of Use should include some of the same language as the Event Waiver around limiting your risk and liability, but it also needs to cover things like payment terms, online commerce, your refund policy and have strong language to protect your intellectual property. Be super-clear about where you draw your lines about how clients can and can't use your online courses and content.

You can learn more about Terms of Use by tuning into Episode 5 called "How to Protect Online Group Programs" (it applies to online fitness courses too!) and Episode 22 called "5 Must-Have Terms When You Sell Online" which tells you 5 sections that are NOT to be missed in your Terms of Use.



**Learn more about a
DIY Terms of Use at**

lisafraley.com/diytermsofuse

You want to legally protect yourself if you're a fitness instructor or yoga teacher so you don't unknowingly expose yourself to risks and lawsuits.

Be sure to work with your own accountant and lawyer about your own situation as each situation is different. It's worth the time and the cost to receive help about your unique circumstances.



Want to get even more clarity than just the Legal 101? Feel free to reach out to me at clientlove@lisafraley.com. We'd love to hear from you! We're always happy to help however we can or to refer you to another attorney if needed.

Here's to getting legally enlightened!

With Legal Love™,

**This information is for educational and informational purposes only.
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For my full disclaimer, please visit lisafraley.com/disclaimer.



Lisa Fraley, JD, CHHC, AADP, is an acclaimed attorney, Legal Coach®, speaker and #1 Best Selling Author of "Easy Legal Steps...That are Also Good for Your Soul." With her unique blend of coaching, legal expertise, and spirituality, Lisa has supported thousands of heart-centered entrepreneurs and small business owners to protect themselves, their businesses and their brands through DIY legal templates, online legal courses and one-on-one services.

From sharing international stages with thought leaders like Kris Carr and Gabrielle Bernstein to being featured on hundreds of podcasts, webinars, radio shows and bonus calls, Lisa has made it her mission to help every single small business owner understand that the law can be accessible, empowering, loving, and even spiritual. When she's not saving the world (with Legal Love) one contract at a time, she's posting free legal tips and connecting with her tribe at lisafraley.com.