

A Review of Employee Health and Wellness Programs in the United States

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ABSTRACT

Due to rapidly rising healthcare costs, employee wellness has become an important topic for small and large companies alike. As such, many organizations are now taking a proactive approach to this issue by offering incentives for employees to get healthy and remain in “good shape.” Simultaneously, some firms are penalizing employees who are smokers and those who might be above the average weight limit considered to be safe for their age and gender.

This article provides a review of trends regarding wellness programs in the modern American workplace. The authors offer practical recommendations to employers to have legal, ethical, and effective wellness programs, as well to employees to stay healthy through self-motivation, goal-setting and persistency. Suggestions for self-motivation, goal-setting and becoming healthier are provided. Also, suggestions for managers are presented so they can create a “fun” workplace for their employees since such a culture can lessen stress, as well as promote good health, and thus reduce healthcare costs.

Key words: Wellness, health, healthcare costs, stress management, goal-setting, motivation, exercise.

INTRODUCTION

An article published in the *Miami Herald* newspaper (by Stafford, 2013) reported that one in four people in the United States aged 18 years and older, amounting to 66 million people in the country, are defined as “obese” (or approximately 30 pounds over their ideal weight). Moreover, about three in ten adults in the U.S. have high blood pressure; and almost one in ten has diabetes (Stafford, 2013, p. B10). Obesity, combined with poor exercise, contributes to high blood pressure, high cholesterol, diabetes, and heart disease, as well as increasing healthcare expenditures. Specifically, obesity increases Americans’ healthcare expenditures by \$1,723 per year per person (Stafford, p. B10).

The U.S. Department of Health and Human Services estimates the cost to treat illness and chronic disease caused by inactive lifestyles is nearly \$1,000 for every family in America, every year. Simply getting 30 minutes of moderate physical activity, such as a brisk walk, at least five times a week, can have significant health benefits, such as lowering the risk of developing, or dying from, cardiovascular disease, hypertension or Type 2 diabetes, as well as improving the health of muscles, bones, and joints. Therefore, wellness has become an important concern for modern organizations, especially because stress has rapidly increased and so concomitantly has the cost of not being healthy. Many firms as a result are now encouraging their employees to join wellness programs so they can gain, or remain in, good health. One such initiative is the National Walk@Lunch Day[®] which is designed to complement, not compete with, employees’ busy lifestyle. This initiative was created to improve personal health and decrease the costs of healthcare for employers and employees. The National Walk@Lunch Day is the start of a new daily walking routine, helping employees to improve their wellness and health step-by-step by creating a habit of regular exercise. As part of this program, on Wednesday, April 24 of 2013, Blue Cross and Blue Shield companies, along with businesses large and small and state legislatures across the United States, encouraged employees to wear comfortable shoes to work that day and to take a walk at lunch time. Even universities and schools were encouraged to participate in National Walk@Lunch Day by setting personal goals for students and teachers, and incorporating walking into the school day as a first step toward long-term prevention of health problems for future generations. A good wellness program can hopefully reduce an employee’s blood pressure, cholesterol level, and his/her waist circumference.

A good wellness program provides the natural means of effectively dealing with the stresses of the modern life. Experts estimate that stress accounts for about 80% of all illnesses and diseases for human beings. Many estimate that stress is the number one killer of people in the United States. During any prolonged stressful event, the body is often alarmed, and consequently one usually either fights it or abandons it. As part of the adaptation process, the body might resist the stresses imposed upon it. Finally, prolonged stresses can lead to exhaustion of the body; and this condition leaves a person at high risk for hosting illnesses (Mujtaba and McCartney, 2010). Wellness programs can help employees better manage their levels of stress through exercise, satisfactory quality of life, better eating habits, and socializing with others.

It is apparent that many employers today are very concerned about the dramatic increase in healthcare costs, exacerbated by the requirements of the Affordable Care Act. Accordingly, many employers are looking for

measures to lower healthcare costs. Employers also want healthy employees in order to avoid absences, enhance productivity, and improve morale. So employers are looking for ways to reduce healthcare costs and to manage the health of their employees. One beneficial measure is in the form of wellness programs in the workplace, which encourage or at times attempt to “force” employees to lose weight, stop smoking, reduce health risks, and overall improve their health. However, employers have to be very careful in creating and implementing wellness programs since there are a variety of laws – statutory, regulatory, and common law – that can apply to wellness programs. To illustrate, in the United States the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Employee Retirement Income Security Act (ERISA), the Health Insurance Portability and Accountability Act (HIPAA), the Genetic Information Nondiscrimination Act (GINA), and, as mentioned, the Affordable Care Act, as well as the common law torts of invasion of privacy and intentional infliction of emotional distress, all could apply to wellness programs in the workplace, thereby causing a developing legal quandary for U.S. employers.

One initial legal as well as practical problem with any examination of wellness programs in the workplace is that there is no statutory or regulatory uniform definition of the term “wellness program.” Furthermore, there is no single set definition of a “wellness program.” One definition would mean programs that are sponsored by an employer that seek to improve the physical and/or mental health of employee (Walter Haverfield, 2013). Another definition is a program designed “to encourage individuals to take preventative measures, through education, risk assessment and/or screening, or disability management to avert the onset or worsening of an illness or disease” (Juergens, 2013, p. 2). Yet another definition of a workplace wellness program is “an employment-based activity or employer-sponsored benefit aimed at promoting health-related behaviors (primary prevention or health promotion) and disease management (secondary prevention). It may include a combination of data collection on employee health risks and population-based strategies paired with individually focused interventions to reduce those risks” (Mattke, Schnyer, and Van Busum (2012, p. 5). Nevertheless, “a formal and universally accepted definition of a workplace wellness program has yet to emerge, and employers define and manage their programs differently” (Mattke, Schnyer, and Van Busum, 2012, p. 5).

Employers, of course, have the discretion in formulating wellness programs. Some programs focus on employees with specific health problems, such as heart disease or diabetes. Others take the form of incentives to the employees to undergo physical examinations or to take health assessments as well as incentives to lose weight and stop smoking. All these programs have an educational component that seeks to inculcate to the employees the benefits of a healthy lifestyle, and thus to increase awareness of how lifestyle choices can impact one’s physical and mental health. Common features of wellness programs can encompass the following: providing healthcare and medical information by means of health fairs, seminars, classes, lectures, and newsletters; online health and wellness resources; nutrition counseling; lifestyle and risk factor analysis; health and exercise coaching; gym and health-club memberships or membership discounts; health risk assessments; stress management programs; disease management and control programs (concerning heart disease, diabetes, blood pressure, for example); biometric testing and screening, maintenance, and control for heart disease, blood pressure, hypertension, cholesterol, and weight loss); smoking cessation programs; and immunization programs; and onsite clinics. All these programs are created to help employees become healthier through various incentives and penalties.

THE “CARROTS” AND “STICKS” OF HEALTHCARE

Some employers are now asking workers to submit their health status numbers regarding such things as their smoking habits, alcohol consumption, body weight, blood pressure, cholesterol level, and waist circumference which can then be used to either reward them with some “carrots” or penalize them with “sticks.”

Employers definitely want lower health insurance costs and more productive employees; and one way to achieve these goals is to have more healthy employees. The question, and one with legal, ethical, and practical ramifications, is how to attain these laudable objectives. Should the employer in adopting a wellness policy take a voluntary “carrot” or a more coercive “stick” approach? Should employees who adopt healthy lifestyles be rewarded? Or should employees who lead unhealthy lifestyles be penalized by the employer? In some wellness programs, an overweight or smoking employee may have to confront certain “sticks,” for example, higher monthly healthcare premiums and no discounts, if the employee does not avail himself or herself of the wellness program.

A wellness program can consist of a health or health-risk assessment offered by the employer, which is usually an annual, or semi-annual, medical exam that ascertains the employee’s weight, height, blood pressure, and cholesterol and sugar levels. The employee also may be asked questions about his or her lifestyle, especially in regards to smoking and alcohol consumption. Some assessments even go further and seek to delve into the employee’s mental and emotional state. Of course, some employees may be hesitant about taking part in these “free” health assessments for a variety of reasons. They may be concerned with how the results of these medical

exams will be handled and used, and what will happen if they are not successful in improving their health and achieving a healthier lifestyle. They naturally will be concerned if there will be any perceived “penalty” for remaining unhealthy.

Employers naturally are concerned too, and not “just” about healthcare costs, but also about the legal ramifications and possible legal expenses and costs in implementing wellness programs. For example, an employee may have a legally recognized addiction to nicotine, or a medical or genetic condition causing him or her to be overweight or obese, thereby triggering the Americans with Disabilities Act, among other laws. Employees may be suffering from health problems that they truly cannot control, thereby raising ethical concerns. Consequently, serious legal and moral issues arise when the employer implements a wellness program, especially one with a coercive element. First, it is necessary to provide some general background information as well as some specific background information on company wellness programs.

Initially, it must be noted how “very common” wellness programs have become: Mattke, Schnyer, and Von Busum (2012, p. 5) report that 92% of employers with 200 or more employees offered wellness programs in 2009. Moreover, the most frequently targeted behaviors are exercise (addressed by 63% of employers with programs), smoking (60%), and weight loss (53%). Mattke, Schnyer, and Von Busum (2012, p. 17) also report on a 2010 Kaiser/HRET survey that 74% of all employers who offered health benefits also offered at least one wellness program; and among larger employers (defined as having 200 or more employees) program prevalence was 92%. Program costs, which typically are expressed as cost per program-eligible employee (as opposed to per actual participant, range between \$50 and \$150 a year for typical programs. Mattke, Schnyer, and Von Busum (2012, p. 6) also report that employers have begun to use incentives to increase employee participation in wellness programs; and that estimates indicate that the average annual value of incentives per employee typically ranges from between \$100 to \$500. However, there are a variety of laws that impose limits on the use of financial incentives by employers as part of the wellness program.

Mattke, Schnyer, and Von Busum (2012, p. 9) vividly illustrate how people in the U.S. “are in the midst of a ‘lifestyle disease’ epidemic,” to wit:

- The Centers for Disease Control and Prevention (CDC) has identified four behaviors that are the primary causes of chronic disease in the United States – inactivity, poor nutrition, tobacco use, and frequent alcohol consumption; and these activities are causing an “increasing prevalence” of diabetes, heart disease, and chronic pulmonary conditions.
- Chronic diseases have become a “major burden” in the U.S. leading to “decreased quality of life,” accounting for severe disability in 25 million people in the U.S., as well as being the leading cause of death, claiming 1.7 million lives per year.
- Treating chronic disease is estimated to account for over 75% of national health expenditures.
- The number of working-age adults with a chronic condition has grown by 25% in ten years, nearly equaling 58 million people.
- A 2008 PricewaterhouseCoopers survey found that the “indirect” costs (for example, missed days at work) were approximately four times higher for people with chronic diseases compared to healthy people.
- A report by the Milken Institute indicated that in 2003 the cumulative indirect illness-related losses associated with chronic disease totaled \$1 trillion compared with \$277 billion in direct healthcare expenditures.

Four excellent articles, one in the *Miami Herald*, two in the *Wall Street Journal*, and one in the *New York Times* provide some “solid,” company-specific, background information to wellness programs at work. The *Miami Herald* (Dorschner, 2011) cited the “carrots” example of Baptist Health South Florida, which the paper stated was a leader in encouraging its 13,000 employees to lead more healthy lifestyles. For example, the hospital offers benefits such as free 24/7 gyms at work and discounted low-fat meals in its cafeteria. Baptist Health has chosen the “carrot,” (Dorschner, 2011), as opposed to the “stick,” in order to promote employee wellness and to decrease rapidly increasing healthcare costs. Another “carrot” approach used by employers is to reward employees who are effectively dealing with chronic problems. For example, employers can reduce premiums for overweight employees who regularly exercise in a gym or who meet certain weight loss goals.

However, Dorschner (2011) related that Baptist Health and other “carrot” approach employers may now believe that the “carrot” is not enough since healthcare costs have continued to rise. Consequently, some companies are now taking a “stick” or penalty approach to motivate employees to be more healthy people. One typical “stick” approach is to require that employees with “unhealthy” lifestyles and habits to pay more for insurance. The *Miami Herald* (Dorschner, 2011) reported on a survey of 600 major companies by a national consulting firm that found that 33% were planning in 2012, or later, to reward or penalize employees based on targets for such issues as weight or cholesterol levels.

The *Miami Herald* (Dorschner, 2011) also noted that employers are concerned about a rising obesity level for employees and the growing number of diabetic employees, and thus about rapidly increasing healthcare costs. To illustrate, the Center for Disease Control and Prevention estimates that chronic diseases, such as heart disease, diabetes, and cancer afflict a majority of the people in the U.S.; yet these diseases are among the most preventable by means of healthy living – eating and drinking healthful foods and beverages, watching one’s weight and being physically active, and avoiding tobacco use (Juregens, 2009, p.1). The *Miami Herald* (Dorschner, 2011) reported on another survey in Florida by a consulting group of 100 Florida employers which disclosed that their healthcare costs had risen 5.7% in 2011. Another survey reported in the paper revealed that the major healthcare challenge for employers in obtaining affordable healthcare is the poor health habits of their employees. The *Miami Herald* (Dorschner, 2011) reported on another survey from the Center of Disease Control and Prevention that estimated that the average smoking employee costs to an employer equals \$1600 in additional medical expenditures and \$1760 in lost productivity each year. As such, Wal-Mart has begun to charge employees who smoke up to \$2000 a year in what they estimate to be the increased healthcare costs. Yet, Safeway, as reported in the *Miami Herald* (Dorschner, 2011) has more of a “carrot” approach. The company will reduce yearly healthcare insurance premiums for about \$1000 for an employee and the employee’s spouse or partner for an additional \$1000 if the employee does not smoke and meets certain standards for weight, blood pressure, blood sugar, and cholesterol. Ryder Company has commenced a new wellness initiative, where the company offers diabetic counseling, nutrition advice, and exercise and weight loss classes, and rewards employees up to \$300 for participating in the program. A prime health target is to cut down on smoking by employees. So Baptist Health gives its non-smokers a “carrot,” that is, a \$30 reduction in premium payments per each bi-weekly pay period. Florida Power and Light offers a \$5 bi-weekly reduction for non-smokers. However, the University of Miami uses a “stick,” that is, the university adds a \$50 monthly fee onto health premiums for smokers. All these employers rely on employees to voluntarily and honestly answer all healthcare questions. All these employers also provide free smoking cessation programs (Dorschner, 2011).

Abelson (2011) first noted that about one-third of employers with 500 or more employees are trying to encourage employee into wellness programs by offering them financial incentives, for example, discounts on insurance. Moreover, the *New York Times* (Abelson, 2011) pointed to a survey that indicated that wellness policies that impose financial penalties on employees have doubled to 19% of the 248 major companies in the survey. Wal-Mart was given as a prime example since it imposed a \$2000 surcharge for some smokers. The reason for the “more stick, less carrot” approach is that employers are very concerned about rising healthcare costs and thus are demanding that employees who smoke or who are overweight or have high cholesterol carry a greater share of their healthcare costs. In the case of Wal-Mart, Abelson (2011) noted that its decision to impose the high amount on smokers was “unusual” since it was much higher than the customary charges of a few hundred dollars a year that most other employers impose on their smoking employees. The only way for the smoking employees of Wal-Mart to avoid the surcharge was to attest that their doctor said it would be medically inadvisable or impossible for the employee to stop smoking. Wal-Mart’s main rationale for the smoking surcharge is that tobacco users typically consume approximately 25% more healthcare services than non-tobacco users. In order to qualify for the lower premiums an employee must have stopped smoking; but Wal-Mart does offer an anti-smoking program. Home Depot charges smoking employees \$20 a month and PepsiCo requires employees who smoke to pay \$600 a year more than non-smokers unless the employees complete a smoke-cessation program. Abelson (2011) also reported on another employer, Indiana University Health, a large health system, where employees who meet weight targets can receive \$720 a year of the cost of their insurance. However, employees who cannot meet weight goals can still be eligible for lower premiums if a doctor states that the employee has a medical condition that makes the weight targets unreasonable to achieve.

Employers have always encouraged their employees to be healthy, since a healthy employee is a productive employee, and also in order to reduce healthcare and insurance costs. However, employers “merely” encouraging their employees to be healthy may not produce the desired objective. So, as reported in the *Wall Street Journal* (Mathews, 2009), some companies are “forcing” their employees to be and to stay healthy. The *Wall Street Journal* (Mathews, 2009) provided one example of a company, called Amerigas Propane, Inc., a nationwide propane distributor based in Valley Forge, Pennsylvania, that gave their employees an ultimatum: get regular medical checkups or lose your health insurance. Mathews (2009) related that the company’s primary reason for this ultimatum was that the company had undergone several years of steep increases in the cost of health insurance coverage for its approximately 6000 employees. The company’s workforce was not only aging; but also many of the employees had unhealthy habits. The average age of the employees was 46 years and about 44% were smokers. Moreover, many of the employees were not getting tests or preventive care that could help them avoid cancer, diabetes, and heart attacks. The company had tried several “wellness” programs to encourage healthy habits by employees, but these programs were optional, and were unsuccessful. So, the company then mandated that all employees would have to get physical exams, blood-pressure checks, cholesterol tests, and

blood-sugar tests. Women over 40 years of age, in addition, were required to get Pap smears and mammograms. The employees and their covered spouses would have one year to complete the tests, which are 100% covered by their insurance. All the tests and checkups were not only free, but the company's plan also did not charge for generic drugs for diabetes, blood pressure, asthma, and cholesterol. Co-payments were also reduced for brand name medications for the aforementioned conditions. However, if the employees did not get the check-ups and tests, they would lose their insurance. Furthermore, the employees would need to keep on getting the checkups at least every two years in order to retain their health benefits. Mathews (2009) reported that one employee, age 41, was originally skeptical of the program; but he did get a checkup and realized he had high "bad" cholesterol, which he deemed to be a "very good wake-up call," resulting in him dieting and exercising and losing 36 pounds. Another employee stated that he had always avoided doctors, and at first he was "shocked" by the program, and considered it an invasion of his privacy, but nonetheless he got the required check-up and found out that he was healthy; and now he says the mandate was a good idea because otherwise he never would have gotten the check-up. Another employee, a 63 year old woman, took the mandatory mammogram and discovered that she had breast cancer; yet if the test was not mandatory, she stated that she would have put it off for several months; thus delaying the diagnosis and enabling the cancer to grow. She stated the program made a real difference to her (Mathews, 2009).

Mathews (2009) also reported that chronic illnesses, such as diabetes, affect more than 130 million people in the United States, and account for about 3/4s of healthcare spending. Mathews (2009) reported that well over one-half of the companies in the U.S. already have "wellness" initiatives to improve their employees' health. However, Amerigas is just one of a few companies that have mandated healthcare testing. Other companies, though, are considering the imposition of penalties for employees who do not "voluntarily" participate in "wellness" programs. In the case of Amerigas, the *Wall Street Journal* (Mathews, 2009) noted that the company, which self-insures its health plan, had annual healthcare expense increases of 10% or more; and its workers had high rates of heart disease and diabetes. Moreover, only 6% of the employees enrolled in the company health plan had gotten recommended cholesterol checks for the previous 18 months, and just 20% of employees had their blood sugar tested. Among women, 44% were getting appropriate mammograms and Pap smears. Furthermore, Amerigas employees younger than 60 were dying of natural causes at nearly three times the expected rate for that age group (Mathews, 2009). It is important to note that in the Amerigas program, the company did not force the employees to take any medical actions based on their test results; and the employees' results, due to medical-privacy laws, were not shared with the company. Also, the company decided not to mandate colonoscopies since they felt that this procedure would be too "intrusive" and would engender resistance and resentment. The company's mandatory requirements only applied to employees who have been with the company for two years or more.

The Amerigas program is called Save-A-Life. Last year the program was initiated. Each employee was given a DVD at home to explain the program and the rationales for the program, particularly costs and healthcare statistics. The company reported that more than 90% of its employees have gotten the required exams and tests; and that the program was expected to cost about \$500,000 for 2008. The company also reported that it now has some evidence suggesting that the program has helped to improve the health of its employees, as well as the expectation is that it will reduce healthcare costs in the long-term (Mathews, 2009).

Other companies that have wellness programs are Home Depot, Safeway, Publix, Noa Southeastern University, PepsiCo, Lowe's, and General Mills. Safeway offers reimbursements to employees for meeting blood pressure, cholesterol, weight, and tobacco cessation goals (Schmidt, Voigt, and Wikler, 2009). Wal-Mart makes its employees who are smokers pay more of their healthcare premium costs. They can avoid the increased costs by enrolling in an approved smoke cessation program. IBM has a healthy-living rebate program that offers financial incentives to employees who do well in certain key health areas, to wit: physical activity, healthy eating, weight management, clinical preventive care, and children's health (IBM's Global Wellness Initiatives, 2013). During annual enrollment periods, IBM employees can choose from three wellness rebates: 1) Personal Vitality Rebate; Children's Health Rebate; and Physical Activity – Nutrition Rebate. Each rebate is worth \$150; and each rebate has specific requirements that must be completed in order to receive the money. The objective of the Personality and Vitality Rebate is to help employees build energy and have a balanced lifestyle in order to achieve optimal health. The first step is for the employee to evaluate his or her energy level, focusing on activities that boost as well as drain energy. The second step is to find activities that will build energy over a three month period. These activities can vary and are based on what the employee thinks is best and achievable for him- or herself. The final step is an evaluation of the effect of these activities over the three month period, including the recognition of the effect of these activities on the employee's personal health. There are also three steps to the Children's Health Rebate, the goal of which is to help parents help their children maintain a healthy weight. The first step is the completion of a Family Meal Analysis, which examines a family's eating patterns, developing a family action plan for healthy eating, and choosing program resources to be used at home. The

second step is an evaluation of the plan half-way through the program to ascertain if any adjustments have to be made. The final step is to evaluate the family's achievements, and then set new goals. The Physical Activity – Nutrition Rebate focuses on physical activity and healthy eating. The same steps described in the Children's Health Rebate and Personal Vitality Rebate will need to be achieved. Realizing personal goals is a major emphasis of this third rebate. The objective of IBM's wellness program "is to create a 'culture of health' that fosters long-term commitment to healthy lifestyles and the reduction of health risks among our employees and their families" (IBM's Global Wellness Initiatives, 2013, p. 1). Such a wellness program as IBM's can be posited as a win-win type program since employers have less healthcare costs as well as more productive employees and employees have better health.

Another very recent article on wellness programs is from the *Wall Street Journal* in April of 2013 (Kwong, 2013). The essence of the article is that the thrust of wellness programs for the future will be a more punitive "stick" approach. Because of the pressing need to control healthcare costs, together with the salient fact that not a sufficient number of employees are taking part in voluntary wellness programs, employers will start "demanding" that employees change their lifestyles, share healthcare information; otherwise, employees will be penalized by being forced to pay higher healthcare premiums and/or deductibles. The *Wall Street Journal* (Kwong, 2012) noted that corporate spending on healthcare costs is expected to increase to over \$12,000 on average per employee in 2013. The *Wall Street Journal* (Kwong, 2013) also emphasized the "poor results" from voluntary programs; and reported that now "companies across America are penalizing workers for a range of conditions, including high blood pressure and thick waistlines" (p. A1). An example given was the tire-maker, Michelin North American, Inc., where employees with high-blood pressure and certain size waist-lines will have to pay as much as \$1000 per year more in healthcare coverage, commencing in 2014. Furthermore, not participating in the company's wellness programs means that employees will not get financial incentives; whereas employees who do participate and who do meet certain "baseline" health requirements will receive up to \$1000 to reduce their deductibles (Kwong, 2013). Another example provided by the *Wall Street Journal* (Kwong, 2013, p. A10) was the pharmacy chain, CVS, which, according to the paper, created an "outrage" among employees and employee rights advocates by asking its employees to report personal health information, including body fat, blood sugar, blood pressure, and cholesterol levels to the company insurer by May of 2013 or pay a \$600 penalty. The *Wall Street Journal* (Kwong, 2013, p. A10) also reported that four out of 10 employers now reward or penalize employees based on tobacco use; and that a growing number of employers are now refusing to hire smokers (which practice is legal in 21 states), with the number of employers with such bans currently at 4% and expected to rise another 2% by 2014.

Most employers, one can assume, still would prefer the "carrot" approach because it does not alienate employees and cost them jobs and promotions, especially due to chronic health conditions. Yet, if the "carrot" approach does not work, and employees cannot or will not take care of themselves, and consequently employers continue to see healthcare costs rise, employers may consider "forcing" employees to be healthy by penalizing unhealthy employees. Furthermore, support for a more punitive approach to changing lifestyles is found, the *Wall Street Journal* (Kwong, 2013, p. A1) reported, in "the findings of behavior economists showing that people respond more effectively to potential losses, such as penalties, than expected gains, such as rewards." To illustrate, Kwong (2013, p. A10) pointed to two studies: one, which was a study of 800 mid- to large-size firms, showed that 6 in 10 employers stated that they planned to impose penalties in the next few years on employees who do not take action to better their health; and the other found that the share of employers who plan to impose penalties is likely to double to 36% by 2014. Nonetheless, Kwong (2013, p. A1) also predicted a "murky" future – legally, ethically, and practically – for these increasing, and increasingly punitive, "stick" wellness programs.

There are many critics, however, of a punitive approach to wellness in the workplace. The labor organization, the AFL-CIO, is opposed to mandatory health tests. A spokesperson, as indicated by the *Wall Street Journal* (Mathews, 2009), declared that health tests were a personal matter that should not be brought into the workplace and tied to benefits. Workers' rights advocates, as indicated by the *Wall Street Journal* (Kwong, 2013, p. A1), condemned the penalties as "legal discrimination" and "essentially salary cuts by a different name. There is also a fear that these wellness programs – whether voluntary or mandatory – are giving employers too much control over their employees' lives (Kwong, 2013). The *Wall Street Journal* (Kwong, 2013, p. A10) reported on another critic of wellness programs, a university chair and professor of health policy, who condemned wellness programs as "unethical" because the employer's main motivation is not to improve the employees' health but to get smokers and other employees with "unhealthy" lifestyles "off their health bill and pass on the costs to someone else."

In addition to labor union and employee rights organizations objections, there are many potential legal problems for employers in adopting and implementing wellness programs. As such, some employers have shied away from any wellness policies due to legal concerns. One potential legal problem for an employer when it comes to weight provisions and height and weight indexes is that some employees may contend that their weight

is based on a medical condition or genetics, and in the latter case tied to racial or ethnic background, and thus the employee is protected by federal discrimination law, such as the Americans with Disabilities Act and the Civil Rights Act. To illustrate, some critics of wellness programs state that tobacco penalties or bans on hiring smokers are discriminatory against poorer and less-educated segments of society, who tend to smoke more (Kwong, 2013); and these people may be minorities who are protected by the Civil Rights Act against discrimination in employment. Moreover, all these health issues must be kept very confidential so as not to trigger lawsuits based on the common law tort of invasion of privacy, HIPAA privacy rules, or the Genetic Information Non-Discrimination Act.

Regardless of legal compliance and laudatory objectives, other critics assert that wellness programs, even incentive-based ones, are unfair and immoral because they can disadvantage some people most in need of healthcare, and also that they, in effect, penalize employees who legitimately struggle to attain wellness objectives, but who fail or who regress, particularly since it is recognized that major lifestyle changes are difficult to achieve (Schmidt, Voigt, and Wikler, 2009). The *New York Times* (Abelson, 2011) related that some health benefit specialists are worried that wellness programs, even if “billed” as incentives, could in fact become punitive for people who have health maladies not completely under their control, such as nicotine addiction or severe obesity, both of which may not be able to be readily overcome. The *New York Times* (Abelson, 2011) also pointed out that the American Cancer Society and the American Heart Association have warned government officials about giving companies too much flexibility regarding wellness programs. These groups, the paper reported, are fearful that the latitude afforded employers in implementing wellness programs could provide a “back door” to discrimination against unhealthy workers. There is an unfair “social gradient,” say Schmidt, Voigt, and Wikler (2009, p. e3(1)), in that “a law school graduate from a wealthy family who has a gym membership on the top floor of his condominium block is more likely to succeed in losing weight if he tries than is a teenage mother who grew up and continues to live and work in odd jobs in a poor neighborhood with limited access to healthy food and exercise opportunities.” Furthermore, Schmidt, Voigt, and Wikler (2009, p. e3(3)), contend that even if a program is called “voluntary,” “that voluntariness can become dubious for lower-income employees, if the only way to obtain affordable insurance is to meet the target. To them, programs that are offered as carrots may feel more like sticks.” Nevertheless, Matke, Schnyer, and Von Busum (2012, p. 22) indicate that “overall, employers seem convinced that workplace wellness programs are delivering on the promise to improve health and reduce costs.” They point to a 2010 Kaiser/HRET survey which indicated that 59% of respondents that offered wellness programs stated that the programs improved employee health; and 44% believed that they reduced costs; and regarding larger firms (with 200 or more employees), 81% of respondents believed that wellness programs improved employee health and 69% stated that they reduced costs (Matke, Schnyer, and Von Busum, 2012, p. 22). So, wellness programs are surely here to stay, and very likely to expand, and also likely to expand in the more punitive “stick” sense. Nevertheless, as the *Wall Street Journal* (Kwong, 2013, p. A10) emphasized, employers now are trying to balance the “carrot” with the “stick” approach; yet “plenty of companies will be watching to see if inflicting a little financial pain leads to changes in the long run” – and at what cost?

PRACTICAL DIMENSIONS OF HEALTH

As emphasized, employers must be cognizant of the many federal and state statutory and regulatory laws as well as the common law of tort that can apply to wellness programs in the workplace. There is, literally, a patchwork of laws that could apply to workplace wellness programs. The employer has, of course, discretion in adopting a wellness plan, but this discretion must be exercised very carefully, especially since there is not yet a great deal of legal guidance as to the applicability of key laws to wellness programs. The wellness plan must be properly structured to be legal, moral, and efficacious. Legally, the authors would emphasize the following basic points about wellness programs:

- Avoid and direct or indirect discrimination when creating or implementing the wellness program.
- Make sure health-related rewards or penalties do not exceed 20% of the cost of the employee’s health coverage (and note this percentage will increase to 30% as per the Affordable Care Act).
- Do not reduce an employee’s pay for any healthcare issue; rather, connect what the employee pays for healthcare to whether the employee meets or fails to meet certain healthcare standards.
- Provide alternatives or offer exemptions for employees who cannot for underlying medical reasons participate in a wellness program or meet certain healthcare goals.
- Do not request health records before extending an offer of employment.
- Keep employee healthcare information strictly confidential.
- Keep in mind that many U.S. laws, especially civil rights laws, have extraterritorial effect; and thus these laws will protect employees of a U.S. company doing business overseas so long as the employees

are U.S. citizens. These laws will also protect employees (again who are U.S. citizens) of a foreign company that is controlled by a U.S. company.

- Recall too that foreign employees of U.S. companies who are working in the U.S. are also protected by civil rights laws.

Mattke, Schnyer, and Von Busum (2012, pp. 27-31) suggest that the “three common themes” and strategies for workplace wellness programs are: 1) internal marketing, 2) program evaluation and improvement, and 3) leadership and accountability. Regarding the first – internal marketing – companies should actively engage their workforce in health promotion, including fact-to-face interactions, mass disseminations, explaining the program during the new hire process, and providing multiple communication channels. Regarding the second – program evaluation and improvement – companies should have a “needs assessment,” consisting of surveys, HRA data, and using voluntary employee committees; then engage in data collection, storage, organization, and integration; and next conduct performance evaluations based on performance measures to determine the success of the wellness program. Finally, regarding the third component – leadership and accountability – a strong commitment to the wellness program by all levels of the organization is required, especially by senior and middle-management, as well as by external stakeholders, such as unions, is required. For example, concerning senior-management support, Mattke, Schnyer, and Von Busum (2012, p. 30) point to the example of Johnson & Johnson, where a “champion,” who is a senior level manager, is identified for each component of the wellness program; and this wellness “champion” is responsible for taking the lead in developing and promoting his or her wellness component. Mattke, Schnyer, and Von Busum (2012, p. 31) also emphasize the “alignment with mission” factor, that is, “a characteristic of many successful programs is an explicit linkage between the goals of these efforts and an overarching organizational mission.”

Employees, for example, may rightly contend that their size, weight, and health are based on medical conditions or genetics, thereby triggering federal laws. Health issues are, obviously, very serious and very personal, and consequently wellness programs have ramifications too. Wellness program information must be kept private and confidential. Employees must be treated in a respectful and dignified manner when participating, or refusing to participate, in a wellness program. Perhaps an employee cannot lose weight because of a medical condition, such as a thyroid problem; and if so the employer risks legal sanctions for disclosing and/or penalizing an employee for his or her weight, as well as moral opprobrium for treating the employee’s weight problem in a demeaning fashion. The goal for the employer is to have a “good,” that is, legal and moral, as well as mutually beneficial wellness program.

A “carrot” incentive-based approach, therefore, makes more sense for the prudent employer because it hopefully encourages and motivates the employee to achieve a healthier lifestyle, perhaps by seeking medical assistance to attain that goal. Pursuant to an incentive-based approach, employees should be more forthcoming about their health issues, particularly if they are assured of confidentiality, so that they can strive to receive the rewards and benefits from changing their “bad” habits to become healthier. A good wellness program should be able to motivate employees to take preventative health measures which are customized to their personal well-being (Noll, 2010). Confidentiality is a critical component to any wellness program as some evidence that an employee is meeting wellness standards and goals will be required.

Noll (2010, p. 2) offers the following practical advice to employers contemplating adopting wellness programs:

- Carefully assess the legal framework before establishing a wellness plan
- Be as clear as possible as to why the employer wants to adopt a wellness program, what it hopes to achieve, and understand the commitment in terms of personnel, time, and money
- Create an employee wellness committee that represents all levels of the organization to help structure the program and to promote the employer’s wellness mission
- Implement the program gradually and seek employee “feedback” from participants as well as non-participants as to perceptions of the program
- Use a qualified third party to operate the wellness program that has all pertinent federal and state licenses, maintains adequate liability insurance, and has professional staff to conduct medical screenings and provide counseling to employees
- Keep wellness program employee medical information strictly confidential; do not share such individualized information with the employer or fellow employees; and have a contract with the wellness program provider that includes an agreement covering HIPAA as well as other relevant federal and state laws
- Do not make any rewards, benefits, or premium incentives contingent upon the employee completing a Health Risk Assessment that asks for genetic information, such as family medical history as GINA may be triggered.

A healthy employee will feel better physically as well as mentally and emotionally. He or she will be able to perform work tasks better, more readily achieve goals, and be more successful and self-satisfied. Accordingly, the prudent employer must demonstrate to the employees the disadvantages of having an unhealthy lifestyle and the advantages that will accrue from having a lifestyle change and obtaining a healthy lifestyle. The employer thus must show that by participating in the voluntary wellness program their health will improve. Moreover, the employer must show that the employees' healthcare costs will be reduced and thus their paychecks will be increased. The employees should have the option to participate in the wellness program. As such, the rational and egoistic employee will certainly take heed of the "sales pitch" – Get healthy, feel good, and save money! Such an approach if carried out in a legal and ethical manner should be a "win-win" situation for the employee and employer.

Creating and implementing a wellness program can be very beneficial to the employer as well as the employee. The goal is to have an efficient, effective, legal, and moral wellness program that helps the employee to attain and keep good health as well as help the employer to manage and reduce healthcare costs. Regarding the growth of wellness programs, Mattke, Schnyer, and Von Busum (2012, p. 39) emphasize that "most observers expect that the uptake will continue to increase as programs become more comprehensive and more accessible for smaller worksites....The Affordable Care Act will help to sustain this trend, as it is likely to increase employment-based coverage and, hence, employers' interest in potentially cost-saving measures." However, the employer must be cognizant of the ethical issues involved and consequently must strive to have a moral wellness program and not one perceived as coercive, manipulative, demeaning, or punitive by the employees. The goal, as always, is to be "just," that is, acting legally and ethically.

The employer's ultimate objective, therefore, should be to create a "wellness culture" in the workplace by means of its legal and moral wellness program and other healthy-lifestyle measures. As per the IBM program, the intent is to create a "culture of health." The goal is to have wellness and healthy lifestyles as a core company value along with integrity and respect for others. The employer can provide health-related information to employees, challenge them to become informed, and then become active participants in promoting their own health. The employer will provide the means for the employees to reach their full health potential by means of its wellness program. The employer also can offer healthy-meal options in the company cafeteria and snack bar. Setting, meeting, and accomplishing goals – health and otherwise – are good for the individual, his or her family, the employer, and society as a whole. A company's investments in its employees' health and wellness will "pay off" for the company in the long-run and naturally will benefit the employees, their co-workers, families and communities. Encouraging and motivating employees to get involved in work wellness programs will produce positive feelings on the part of the employee as well as positive interaction among employees who, for example, may share wellness "tips," anecdotes, and most importantly, success stories. Employees, moreover, should tend to gravitate toward participating in voluntary wellness programs and actively work toward achieving wellness goals if they get encouragement and support from co-workers as well as tangible benefits from the employer. Such a voluntary cultural-based wellness approach at work will be more efficacious, as well as less perilous legally, rather than having major lifestyle changes, even if in their own good, "forced" on them. A legal and moral wellness program is a socially responsible and mutually beneficial action. The employees, employer, as well as all the stakeholders affected, will benefit from such a "good" wellness program.

Overall, any comprehensive wellness program is likely to have many dimensions in order to meet physical, mental, social, emotional, professional, and spiritual needs of employees (Covey, 1989; Wellness Made Simple, 2013), to wit:

1. *Physical* wellness is about being active and regularly involved in various athletic activities such as walking, running, swimming, volleyball, soccer, basketball, etc. Exercise, when done properly and regularly, can provide many benefits such as strength, flexibility, and resistance.
2. *Mental* wellness is about continuously making good use of one's intellectual faculties by doing worthwhile things, making contributions to society, and searching for more answers to one's curiosities.
3. *Social* wellness means doing one's part to make the world a little better for oneself, the family, and the community. It means doing what is sustainable for the long-term harmony of living with nature.
4. *Emotional* wellness refers to understanding one's feelings and accepting things that cannot be changed. It is about emotional maturity to accept life's challenges, limitations, and boundaries, while still making progressively more contributions.
5. *Professional* wellness means being part of a company that allows one to be "first class" at his or her job. Being "first class" means you make full use of your abilities, potential, skills, natural gifts, and talents in a meaningful and rewarding manner.
6. *Spiritual* wellness means taking time to appreciate the purpose of one's existence and respecting nature's forces that exist in our universe.

Managing the various dimensions of a wellness program and health requires proper planning, organizing, leading and controlling its various elements in an orderly manner (Mujtaba, 2014). In order to have a comprehensive wellness program for all dimensions of an employee's needs, managers should include motivational content for their employees to become fulfilled, to learn, and to manage, including managing procrastination, by taking small steps, being persistent, and having fun in the workplace. The following sections provide more practical content that can be included in a comprehensive wellness program in order to satisfy some of one's physical, mental, social, emotional, professional, and spiritual needs (for more information, see the book entitled "*Cross-Cultural Change Management*", Mujtaba, 2006).

Become Lean and Healthy

Becoming healthy and staying in good health requires proper wellness strategies that are practiced each day as a habit. Effective professionals and employees will be less stressed because they proactively manage their activities and themselves based on their predetermined and worthwhile goals to achieve and to stay in good health. Nonetheless, due to deadlines and the fact that sometimes people take on (or are delegated to by one's superiors) more functions than can be handled at one time, stress management techniques can be helpful in maintaining productivity. Enclosed are simple suggestions that can dramatically affect how one operates as an individual or as a team member during hectic (stressful) times in one's organization.

Diet. Make an effort to eat more fruit, vegetables, and whole grains as a replacement for some of the high fat snacks and meals. Where one can, avoid the high fat products. Fat is "tough" work for the body to process; and it always pulls the energy from one's body rather than driving energy into it. Always eat a healthy breakfast. Drink sufficient glasses of water and avoid soda. Something else...if needed, may be caffeine, but drink very little caffeine. If one does drink caffeinated beverages, do so only in the morning. For many, this is one of the most difficult goals, and thus one may need to focus on it for a month to create a new habit to a point where it is working. Remember, in order to make a new habit or break a current habit, one must consciously do things differently for about 21 to 30 days in a consistent fashion. Then the new habit will be formed. Caffeine is a stimulant; so it raises blood pressure, affects thinking, and can stay in the body for about 48 hours. Consequently, if one is a "heavy" coffee drinker, then try to get consumption down to only one or two cups of coffee a day, and also try to be done with coffee drinking by about 10:00 a.m.

Sleep. The above suggestion on diet (especially the caffeine part) will definitely impact one's ability to be successful with sleeping. During periods of physical, mental, or emotional stress, one must have recovery time, or one quickly will begin to "burn out" and become groggy, sluggish, grumpy, and ineffective. For those people with children, especially small children, this sleep effort can be challenging; but one can develop strategies to work around it, and one will see real results. Ben Franklin was "right on": "Early to bed, early to rise, makes us all healthy, wealthy, and wise!"

Exercise. This does not necessarily mean running, aerobics, or weightlifting. Get up and move after sitting for more than two hours. Stretch, breathe deeply, take a short walk, use the stairs; but take a few minutes every two hours or so and move in order to keep the blood flowing and one's mind sharp. To illustrate a friend of one of the authors has been running regularly lately, and this exercise has made a big impact on his attitude and ability to get things done. So if one can do it, experts recommend taking a 15-minute walk during lunch hour. If one wants to avoid the heat and getting too much sun, then one should get up early and walk for 30 minutes in the morning. Trust the process on this one, walking really does make a huge difference.

Think positively. Have the attitude of "We are almost there... and we have our goals directly in sight." Flush negative or useless things out of one's mind, and replace negativity with positive, forward-looking ideas and feelings. The team is "in this together"; and together everyone will achieve more. Be a believer. It often takes hard work too, but a dedicated believer will always be victorious!

Think teams and team members. Ask for help and help one's colleagues as they attempt to become stress-balanced and healthy. Finally, it is no secret that all of these suggestions can, and will, work very closely together as a "sure-fire" package for success. Look closely... diet, sleep, exercise, a positive attitude... it is so simple, and it is so within one's reach to do too! Again, trust the "process" as the wellness experts would not suggest anything that they would not do themselves. During busy workdays, these suggestions require that you commit to believing in yourself and what you stand for, and what you want from your day – and your life. Remember, only you can ultimately drive yourself across the finish line.

Manage Procrastination

With regard to procrastination Peter McWilliams, author, said: "When we put things off until some future -- probably mythical -- Laterland, we drag the past into the future. The burden of yesterday's 'incompletions' is a heavy load to carry. Don't carry it." Eliminate the mindset of "why do today what you can put off till tomorrow"

by replacing it with the mindset that important activities must get done, since they are critical to the achievement of one's life's mission. Do not become a "Mr. Meant To" since that mindset does not lead to the achievement of worthwhile goals, since Mr. "Meant To" usually has a comrade and his name is likely to be "*Didn't Do*."

Oftentimes, when one's goals and purposes are not clear, the motivation to achieve things goes away. Extreme cases may lead to boredom and depression. Try to clarify one's purpose in life by reviewing one's mission, and if it is not exciting or fulfilling, then take the time reflect upon one's dreams and change one's mission so a new purpose can get one motivated about life. Denis Waitley, author and speaker, says "Get excited and enthusiastic about your own dream. This excitement is like a forest fire -- you can smell it, taste it, and see it from a mile away." Clarity of purpose can eliminate the "Mr. Meant To" syndrome.

One way to complete large "important" tasks that cause procrastination is to break it down into small chunks of manageable tasks that can be completed in a short period of time by one person and/or with other's assistance. Also, the small tasks can be linked to specific rewards to provide physical motivation and energy to get things done. Jon Erickson, scientist and author, said "I found that I could find the energy... that I could find the determination to keep on going. I learned that your mind can amaze your body, if you just keep telling yourself, I can do it...I can do it...I can do it!" Eileen Caddy, author and co-founder of the Findhorn Community encourages everyone to "Stop sitting there with your hands folded, looking on, doing nothing: Get into action and live this full and glorious life NOW. You have to do it." Believe in your goals and purpose by continuously reminding yourself of their importance.

Kahil Gibran, author and philosopher, said that "Believing is a fine thing but placing those beliefs into execution is a test of strength." Luckily, each day, people are given new opportunities to test their strengths regardless of what problems one may encounter. "Sometimes it is more important to discover what one cannot do, than what one can do," said writer Lin Yu-t'ang. In practicing the habit of seeing what one cannot do, a person may discover new possibilities, and thus build a new image and purpose for oneself. "Our self-image and our habits tend to go together. Change one and you will automatically change the other," said the author, Maxwell Maltz.

Persist in the Achievement of Good Health

Enthusiasm is a critical variable for persistency in achieving one's worthwhile and predetermined goals. Dale Carnegie said "Flaming enthusiasm, backed up by horse sense and persistence, is the quality that most frequently makes for success." Enthusiasm accompanied by the vision of value creation will always be an unbeatable pair. Once upon a time, there was a well-known "tribe leader" who started off the yearly meeting with his people by holding up a \$50 bill. In the room of 200, he asked, "Who would like this \$50 bill?" Hands started going up. He said, "I am going to give this \$50 to one of you but first, let me do this. He proceeded to crumple the \$50 dollar bill up. He then asked, "Who still wants it?" Still the hands were up in the air. Well, he replied, "What if I do this?" And he dropped it on the ground and started to grind it into the floor with his shoe. He picked it up, now crumpled and dirty. "Now, who still wants it?" Still the hands went into the air. My friends, we have all learned a very valuable lesson. No matter what I did to the money, you still wanted it because it did not decrease in value. It was still worth \$50. Many times in our lives, we are dropped, crumpled, and ground into the dirt by the decisions we make and the circumstances that come our way. We feel as though we are worthless; but no matter what has happened or what will happen, you will never lose your value. Dirty or clean, crumpled or finely creased, you are still priceless to those who DO LOVE you. The worth of our lives comes not in what we do or who we know, but by WHO WE ARE. You are special - Don't EVER forget it! If you do not add value by serving others due to the challenges one faces while doing so, you may never know the lives your services touch, the hurting hearts it speaks to, or the hope that it can bring. Count your blessings, not your problems; and remember: amateurs built the ark, professionals built the Titanic. If your faith brings you to it - your faith will bring you through it as well. With regard to understanding faith, once a person asked a Prophet, "What is true faith?" The Prophet replied: "When your good endeavors bring you pleasure and your transgressions cause you anguish, you know that you are a person of faith."

So, regardless of the challenges one may be facing or will confront, it is always best to have faith and show great enthusiasm about worthwhile goals. Mark Victor Hansen, author and speaker, is quoted as saying: "Doing what we were meant to do creates fun, excitement and contentment in our lives, and invariably, in the lives of the people around us. When you're excited about something it's contagious." Always value yourself and your worthwhile dreams; eventually, others will join you. Remember, who you are as a human being, and where you are headed, will always make one unique in this world of billions! The key is to stay true to one's plans and dreams.

Mahatma Gandhi said: "If I believe I cannot do something, it makes me incapable of doing it. But when I believe I can, then I acquire the ability to do it, even if I did not have the ability in the beginning." As such, you shouldn't close your eyes to prospective problems or obstacles; you should be realistic in resolving them, but, at

the same time look for ways to win toward progress rather than excuses for lack of progress (or losing)! When it comes to progress, George Bernard Shaw said: "A man learns to skate by staggering about and making a fool of himself; indeed, he progresses in all things by making a fool of himself." Sometimes, there are temporary setbacks, either because one is not fully prepared or due to other situational variables. Nonetheless, disappointments do provide opportunities for reflection, improvement, and the formulation of better strategies toward achieving the stated objectives and goals.

Persistency is what makes the impossible possible, the possible likely, and the likely definite. Common terminology aside, there's no such thing as "hard sell" and "soft sell." According to CEO Charles Brower, there's only the "smart sell" and "stupid sell." The goal is to make an effective "sell" to the person who needs one's product or service. *Pig-headed* persistence is not productive nor effective when the customer has no need for one's product or service. *Planned* persistence is and can be very effective and a great time-saving device. This not to suggest the method of the bachelor who suddenly decided he wanted to get married. He proposed to his current sweetheart, and she turned him down. Disheartened, he was sharing his frustration with a friend, who advised him not to despair, but to be persistent in his dream of getting married. Thinking that there are "plenty of fish in the sea", the next day, he stood on the street corner and proposed to every woman who passed. You'll agree that that was a "stupid sell" at the wrong time. Persistency requires effective thinking with the right goals in mind first, as Knute Rockne, football coach, explained: "Football is a game played with arms, legs and shoulders but mostly from the neck up." In football, the goal of winning is clear yet the players must think and adjust accordingly in each moment in order to achieve their objectives. Similarly, with regards to bad moments and negativity, George Foreman, championship boxer, stated: "That's my gift. I let that negativity roll off me like water off a duck's back. If it's not positive, I didn't hear it. If you can overcome that, fights are easy."

Persistence involves being persistent for the right things at the right time, and making appropriate adjustments to get there. Planned persistence can lead to positive results in the long-term. It simply takes patience. In the fishermen's way of thinking, nothing takes more persistence than sitting in a boat out in the middle of the water for hours on end with nothing to stare at but that little bobbing on the surface or hopeful tug on the line. Like fishermen, persistent people need at least five qualities:

- *Trust* - You have to trust that your persistent effort will pay off. The vacation-only fishermen often have the fish or cut-bait philosophy, but those who do it for a living trust their skill and know-how to pay the bills.
- *Vision* - Persistent people have to envision the pay-off. You can't keep taking snapshots of the day-to-day still life. You have to take movies of the whole party—the long-term plan. You as successful persons have to motivate yourselves by envisioning the reality of reeling in the big one. You envision the kind of fish you want to catch, then you choose the appropriate place and lure.
- *Commitment* - Persistent people commit to their long-term plan. You cannot get the big fish if you row out only so far, decide the fish are not biting, and then head back for shore. Staying in the deep water takes commitment to the whole trip. Once located in an appropriate and promising fishing hole, you as successful person, will patiently wait and develop and then seize opportunities.
- *Courage* - Persistent people have to have courage when motorboats and skiers dash around them. The tendency is to look for a new fishing hole. If you do your homework up front and know the prospect has a need, why change fishing holes? Keep your line in the water. You may even have to add another pole or two to discourage the skiers from coming too close and getting tangled up in your business.
- *Accountability* - Finally, like fishermen, persistent people are accountable. People who fish for a living do not return to shore after half an hour bemoaning: "The lake is too big and the fish aren't biting." They figure out how to make them bite. Successful persons know that progress comes from a detailed plan. You are accountable. You feel responsible for the plan, you will be responsible for the results, and you deserve the credit.

About persistence and consistency, Vince Lombardi said: "Winning is not a sometime thing; it's an all-time thing. You don't win once in a while, you don't do things right once in a while, you do them right all the time. Winning is a habit...unfortunately, so is losing."

Success, for a healthy and successful life, is getting up before dawn one more time. Just like a fisherman, success is about trusting your skill and your reel. Success is an insight about where the fish will most likely bite. Success is commitment to stay in the boat, the courage to reel in the big one, and the accountability for the results when returning to shore. Also, the secret to a successful and prosperous life is to have more worthwhile beginnings than endings. So, stay persistent and get right back up each time you fall as worthwhile beginnings provide new opportunities. Do not forget that the present life in this world is merely a sport and a pastime; a time when people may play foolish games, competing against one another for greater wealth or more honors. The present life is like a plant that flourishes after rain: the gardener is glad to see it grow; but soon it will wither,

turning yellow, and become worthless stubble. Success in this world counts for nothing if it is not also helping others as well as you, both presently and eternally. Success may speed up one's hair color conversion to white, but then again that may be a small price to pay for achieving your goals. Phyllis Diller, the famous American comedienne, once told the audience that "If you don't have wrinkles, you haven't laughed enough." So, enjoy life and stay persistent and healthy, even if you get a few wrinkles. Persistency often accompanies and/or results in enthusiasm. With regard to enthusiasm, the artist Edward B. Butler said: "One man has enthusiasm for 30 minutes, another for 30 days, but it is the man who has it for 30 years who makes a success of his life." So, be persistent and enthusiastic about your life goals and success will be the natural and ultimate corollary regardless of the challenges. Carol Burnett, the actress, said: "I have always grown from my problems and challenges, from the things that don't work out, that is when I've really learned."

Have Fun as they do in The Pike Place Fish Market

"*Fish*," authored by Lundin, Paul, and Christensen (2000), introduces the principles that have been applied to the Pike Place Fish Market in Seattle Washington. The book is a fictional tale of a manager that incorporates the *Fish* principles into her department which has had a reputation as being unresponsive, slow, and "zombie" like personality. Top management at the organization has labeled the department a toxic energy dump that is negatively impacting the entire organization. The department can use change and leadership to make it more lively, creative, and energetic.

The Fish Philosophy is relevant for twenty-first century's global management and cross-cultural change agents since its application can lead to building a competitive advantage through creativity, teamwork, efficiency, innovation, responsiveness to customers, and quality service. A work environment that focuses on serving the customer and making the customer's day will increase customer satisfaction and reduce stress. If each contact with the customer leaves a positive impression then the organization's value to the customer will increase. This type of value creation will also contribute to customer loyalty. In addition to creating customer value, the principles help cultivate creativity which is important to innovation. When problems arise that deviate from the norm, the employees must be able to think of new efficient solutions. Environments that promote fun and positive energy make it easier for the employee to think of new ideas. The Fish Philosophy lays the ground work for positive change in the organization, but the employees of the organization are ultimately responsible for making it successful. The Fish Philosophy promotes concepts rather than strict rules and procedures. Management will have to educate and motivate their employees to embrace the principles and appropriately implement them. Management for instance cannot require that each employee choose to have a good attitude each day. Each employee must willingly make the decision about his or her attitude. Pike Place Fish Market and companies like Publix, Wal-Mart and Target show that the Fish Philosophy can successfully be applied to any organization. The book entitled *Fish* provides insight on how to transform an organization through common-sense principles. It provides the following four ingredients to success (Lundin, Paul, and Christensen, 2000, pp. 85-99):

1. Attitude - There is always a choice about the attitude that employees bring to the job. We can choose the way we do our work.
2. Play - Make the routine enjoyable. This creates the energy required to motivate people.
3. Make Their Day - Direct attention towards the customer. Involve and engage them in action to create a sense of endearment.
4. Be Present - People must be fully engaged in their work. Attentive and focused behavior produces results in the most efficient manner.

The book also shows how these principles transformed Pike Place Fish Market to World Famous Pike Place Fish Market (Lundin, Paul, & Christensen, 2000). The principles can be applied to the organization as well as to everyday life of national or international employees, managers, and entrepreneurs. Besides making the communication and conflict resolution process easier, the application of these principles results in healthier lifestyles, increased energy, reduced resistance to change, creativity, employee satisfaction, increased commitment, and bottom-line profits. Some of the suggestions for implementing the key four ingredients in the context of wellness programs are listed below:

1. *Attitude* – Initiate a training program for employees on wellness motivational topics.
2. *Make Their Day* – Introduce flexible work hours for employees; provide health-club memberships.
3. *Play* – Develop a creativity area for employees to express their talent as well as an exercise area to help better their physical well-being.
4. *Be Present* – Practice listening skills; be cognizant of employee concerns; and bring employees into the wellness program decision-making and implementation.

The combined energies of employees and their beliefs in themselves can make a tremendous difference in achieving a more healthful, less stressful, and more productive workplace. By sheer commitment of making a choice to change their attitude and lifestyle, employees individually, and together as teams, will be able to transform themselves into better people – physically, mentally, and emotionally, as well as to transform their departments, and workplaces into healthy, satisfying, fulfilling, and rewarding places to work.

RESEARCH RECOMMENDATIONS

Balancing the legitimate interests of employers and employees and job applicants, as well as drawing the proper ethical boundary between moral and immoral conduct regarding wellness policies in the workplace, is, admittedly, a very difficult undertaking indeed. Employers have legitimate business interests to manage their companies; and employees have legitimate interests to have private off-duty activities. The subject of wellness-based employer decision-making raises very controversial and important moral issues. One ethical issue involves the morality of employers accessing health information of employees and investigating the health (or lack thereof) of employees and job applicants. Another related ethical issue involves the morality of the employer using health information obtained in employment decision-making. Thus, even if legally obtained, is it moral to make decisions in employment and to not hire applicants or to sanction employees based on their health? Is it moral based on ethics for employers to adopt wellness programs? What about the morality of a wellness program with a perhaps coercive “play-or-pay” mindset? Now, at first instance, many people may decry employers seeking health-based job information, or making determinations, or “forcing” employees to be healthy as “morally wrong.”

Nonetheless, determining whether an action, rule, or law is moral or immoral, right or wrong, or just or unjust perforce brings one into the realm of ethics, which is a branch of philosophy, and then logically to ethical theories, ethical principles, applied ethics, and ethical reasoning to reach moral conclusions. In future research, the authors recommend the application of major ethical theories such as – Ethical Egoism, Ethical Relativism, Utilitarianism, and Kantian ethics – to the subject of wellness-based employer decision-making to determine philosophically if such wellness programs in the workplace, even if legal, are moral. These theories are recommended because they are reason-based ethical theories and relevant for reaching moral conclusions.

SUMMARY

This article examined the ramifications of employers adopting wellness programs and provided appropriate recommendations. Voluntary “carrot” wellness programs were differentiated from more coercive “stick” programs both of which can be part of most wellness programs. Many examples of both types of wellness programs, and the rationales therefore, were provided. Employers in the U.S. must be well aware of the variety of laws that can impact wellness programs in the workplace; and even if legal, the employer must ensure that its wellness program is moral, that is, one that treats the employees with dignity and respect. The final portion of the article made appropriate recommendations to managers on how to set up and implement legal, moral, and practically efficacious wellness programs in the workplace. By taking heed of the aforementioned recommendations, and making sure that the wellness program complies with the law and also treats the employees with dignity and respect, the employer will achieve a legal, moral, socially responsible, and efficacious wellness program – a “win-win” wellness scenario for the employer, the employee, the employee’s family, and the local community.

References

- Abelson, Reed (November 16, 2011). The Smokers’ Surcharge. *The New York Times*. Retrieved March 4, 2013 from: <http://www.nytimes.com/2011/1/17/health/policy/smokers-penalized-with-health-insurance-premiums>.
- Covey, S. R. (1989). *Seven Habits of Highly Effective People*. New York: Simon & Schuster.
- Dorschner, John, “Employers weigh penalties and rewards,” *The Miami Herald*, December 3, 2011, pp. 1C, 4C.
- IBM’s Global Wellness Initiatives – IBM Corporate Responsibility (2013). Retrieved March 4, 2013 from: http://www.ibm.com/ibm/responsibility/employees_global_wellness.shtml.
- Juergens, Julie L. (2009). Gallagher Sharp Attorneys. *Wellness Programs: Issues Employers Must Conquer To Avoid Legal Consequences*. Retrieved February 23, 2013 from: www.gsfn.com/useful_tools/Wellness.
- Kwoh,, Leslie (April 6-7, 2013). Shape Up or Pay Up: Firms Put in New Health Penalties. *The Wall Street Journal*, pp. A1, A10.
- Lundin, S. C., Paul, H., & Christensen, J. (2000). *Fish!* New York: Hyperion.
- Mathews, Anna Wilde, “When All Else Fails: Forcing Workers Into Healthy Habits,” *The Wall Street Journal*, July 8, 2009, p. D1.

- Mattke, Soeren, Schnyer, Christopher, and Van Busum, Kristin R. (July 2012). *A Review of the Workplace Wellness Market*. Rand Corporation - Rand Health - Occasional Paper. Sponsored by the U.S. Department of Labor and the U.S. Department of Health and Human Services, pp. 1-45.
- Muffler, Stephen C., Cavico, Frank J., and Mujtaba, Bahaudin G. (Summer 2010). Diversity, Disparate Impact, and Ethics in Business: Implications of the New Haven Firefighters' Case and the Supreme Court's *Ricci v. DeStefano* Decision. *SAM Advanced Management Journal*, Vol. 75, No. 3, pp. 11-19.
- Mujtaba, B. G. (2014). *Managerial Skills and Practices for Global Leadership*. ILEAD Academy: Florida.
- Mujtaba, B. G. (2006). *Cross Cultural Change Management*. Llumina Press: Florida.
- Mujtaba, B. G. and McCartney, T. (2010). *Managing Workplace Stress and Conflict amid Change, 2nd edition*. ILEAD Academy: Florida.
- Noll, Emily (July 2010). Corporate Health and Wellness Association: Corporate Wellness Magazine. *Good-Intentioned Wellness Programs Need Rules Too*, pp. 1-3. Retrieved February 22, 2013 from: <http://www.corporatewellnessmagazine.com/article-detail.php?issue=issue-12&&article>
- Schmidt, Harald, Voigt, Kristin, Phil D., and Wikler, D. (December 30, 2009). Carrots, Sticks, and Healthcare Reform – Problems with Wellness Incentives. *The New England Journal of Medicine*, pp. e3(1)-(3).
- Stafford, Diane (April 11, 2013). With more obese Americans, healthcare costs rise. *Miami Herald*, p. 10B.
- Tinnes, Christy (March 2007). Workspan: rules & regulations. *Wellness Programs: Legal Considerations for the New Trend in Employee Benefits*, pp. 57-59. Retrieved February 23, 2013 from: http://ww.worldatwork.org/workspan/Pubs/Rules_and_Regulations-Wellness
- USI Southwest-Quarterly Update (2007). Health & Welfare Benefits. *When is a Wellness Program Subject to ERISA?* Retrieved February 22, 2013 from: http://www.enebuilder.net0usisw/e_article000792535.cfm.
- Wellness Made Simple (2013). *Wellness made simple – Nova Southeastern University*. 11-108-12RWM. Distributed to all employees on April 05, 2013.
- Walter Haverfield, LLP (2013). Employee Benefits. *Wellness Programs*. Retrieved February 22, 2013 from: http://www.walterhav.com/practice_areas/EB-ERISA-WP.htm.

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