

Well-Being in the Workplace:

Design Strategies for the Legal Industry

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WELL-BEING IN THE WORKPLACE: DESIGN STRATEGIES FOR THE LEGAL INDUSTRY

**Research shows
again and again
that happier
employees work
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It's here – and there's no going back. The era of recognizing that mere mortals, and not robots, fill the well-heeled shoes of practicing attorneys is upon us. And like other mere mortals, lawyers are people who require sleep and nutritious food, have feelings, care for children and the elderly, manage chronic health issues, and perform their high-stress duties better in supportive and healthy environments.

The legal industry trails others in embracing employee wellness, but as more HR departments adopt wellness initiatives across the country, all signs point to the phenomenon slowly becoming the norm. One feature of the profession that never seems to falter, though, is the rigor required for success. Average annual profits across the American Lawyer Top 200 firms hold steady at \$1.39 million per equity partner, with pressure to bill anywhere from 1,900 to 2,200 hours per year — that's roughly 40 billable hours per week, a high standard which doesn't account for the typical non-billable time required on top.

As a variety of factors drive law firms toward incorporating wellness benefits into their compensation packages, the physical workplace itself holds exciting potential to assist. But companies are now beyond considering only the “physical,” when it comes to their employees. Mental health, happiness and work-life balance have become increasingly important, especially in law practice, where the pressures of highly skilled knowledge work and demanding schedules can quickly lead to burnout. Law firms stand to gain much in shifting their focus from wellness to well-being – and workplace design holds many tools and strategies that can support a holistic well-being initiative tailored to hard-working attorneys and support staff.

From “Wellness” to “Well-Being”

Let's first address the elephant in the room: do workplace wellness programs actually yield results? Researchers at this point can't seem to agree. One 2010 study¹ found a \$3.27 reduction in medical costs per dollar spent on wellness programs. Another 2018 study repudiates this, saying wellness programs have little or no impact on health expenditures or productivity.² But reading beyond headlines and easy sound bites is important: the latter study is drawn from only one year of data in a four-year study, while inevitably, many program components might be aimed at long-term wellness and thus not have the short-term ROI expected or desired.



The Minneapolis ECMC office provides a rooftop getaway for employees; substantial research confirms the benefits of light exposure for human beings.

This is why, as the RAND Corporation found, it's important for organizations to choose how they spend their dollars on wellness wisely, and be realistic about the financial returns they expect. RAND conducted studies³ that found the greater short-term impact on ROI arrived through spending on disease management programs (aimed at reducing the risk of events such as heart attack and stroke) versus lifestyle management programs (aimed at encouraging regular habits such as exercise and healthy eating). Disease management programs yielded a savings of \$136 per member employee per month,⁴ while broader lifestyle management only yielded \$6 per person per month in the group's studies. By prioritizing where dollars are spent, or investing in cost-effective interventions for programs targeting long-term results, companies can regain more control over ROI.

Not only does a healthy work environment improve productivity and job satisfaction, it improves overall individual health and happiness.

In the end, the financials on wellness are only one piece of the puzzle. The National Business Group on Health⁵ has highlighted that increasingly, employers are focused less on numbers and more on supporting the well-being, not just wellness, of their employees. Why? Research shows again and again that happier employees work harder and are more productive.⁶ Furthermore, a recent study⁷ of 15,000 employees conducted by Mind, a mental health advocacy group in the UK, concluded that not only does a healthy work environment improve productivity and job satisfaction, it improves overall individual health and happiness.

An approach that considers both body and mind can address the risks that come with high-stress work. Furthermore, employers who advertise an active focus on well-being tend to both attract and engage employees



Office space at Seyfarth Shaw LLP, Los Angeles, showcasing sit-to-stand desks, which allow for changes in position throughout the day to combat musculoskeletal issues that can arise from remaining too long in one position.

24.8%

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better.⁸ Not convinced? Just ask the leaders of firms such as Reed Smith, a global operation with 1,700 employees, which recently launched a program focused on “stress reduction, mindfulness, work-life balance, and health and wellness” for its employees.⁹

Why the Law Needs a Well-Being Focus

Law firms face both sustained and mounting pressures in the horse race to survive, and sharpening their focus on the well-being of its professionals could prove to be an important competitive edge. Although the law profession is still fixed in popular imagination as a lucrative, respectable and high-powered career, enrollment in law school has dropped 24.8 percent since 2010,¹⁰ suggesting waning interest and creating a crisis of associate-level recruitment. Talent poaching amongst firms grows ever more aggressive against a backdrop of consolidation, mergers and acquisitions to stay competitive.

In the war for talent, wellness and well-being programs that aim to counterbalance the grueling schedules and high stress level of legal work give a firm an enlightened and compassionate image. They even tend to attract healthier people,¹¹ and promote opportunity for engagement that reduces turnover. Understanding that lawyers have to be as billable as possible, giving them avenues for stress reduction and work-life balance can help offset the pressures of their daily work, as well as general stress outside the office that can negatively impact overall health.

Design can support well-being in the workplace. So what does a legal workplace designed around well-being look like?

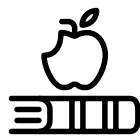
LEED with WELL

First, it's important to understand what is influencing and guiding the growing design focus on well-being in the work environment. Historically, LEED certification for interiors was one method of ensuring energy efficiency and environmental stewardship within workplace design, with limited attention to employee wellness. But the program has had mixed success in the design industry. With the high cost of certification has come a healthy dose of cynicism over its true value, especially within a building that is already LEED certified. For some law firms, interior LEED certification has served as an important PR tool for environmental

responsibility. In the current design climate, however, WELL certification is now becoming a method of interest in delivering progressive interiors that support health and wellness. It picks up where LEED began on occupant health and offers a deeper framework and set of standards to follow in addressing user comfort and well-being through design. It also fits in nicely with employers' newfound interest in employee well-being.

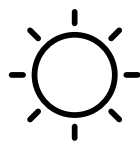
While LEED and WELL complement each other, WELL places the well-being of the occupant at the center of its methodology. Its ten core concepts — air, water, nourishment, light, movement, thermal comfort, sound, materials, mind and community — are considered in the design process to encourage healthy behaviors and supportive surroundings in the built environment.

WELL certification does come with its own price tag, but like LEED, office interiors can be designed along WELL guidelines without the need for costly certification. Law firms that are genuinely interested in creating a workplace that supports both physical and mental health should take note of this human-centered approach to design. The following design recommendations are largely based around these criteria and tailored for the unique needs of attorneys and staff:



Support for Professional Development

Continuing education within the legal world (CLEs) is a professional mandate, and the American Psychological Association cites “employee growth and development” as an essential element of a healthy workplace.¹² Designing flexible space for training and CLE workshops into the workplace has twofold benefits: it gives the firm power to enrich and develop their talent while extending the convenience of in-house training to its professionals. This becomes a time saver for attorneys seeking more work-life balance, and a tool for continuous improvement to the firm.



Let There Be Light

Substantial research confirms the benefits of light exposure for human beings. The benefits are no less in the legal workplace. Expanding access to daylight and views beyond the partner-level corner office can be uplifting to the whole firm, from support staff to all levels of law professionals. Placing support staff in perimeter zones expands access to daylight and views, while using any variety of glass wall products inside of the perimeter helps

daylight penetrate throughout the office. Different transparencies and densities of glass, as well as smartly engineered acoustic solutions, can respond to concerns over privacy and confidentiality. For indoor artificial light, designers can also now specify a wide range of light sources of variable qualities, colors and levels that positively impact circadian rhythms and sleep quality, both of which are correlated with greater productivity and alertness. These ranges of lighting options are also specified to support eye health and overall comfort.



Never Skip Lunch Again

The provision of freshly made food offerings in-house has become more popular in an era that sees tech employees enjoying elaborate cafeterias filled with gourmet, organic meals from morning to evening. For the law professional who would typically work through lunch, however, the fresh “grab and go” option has proven a good fit. Offering the right options — low-sugar, low-calorie whole foods free from artificial ingredients — can keep employees’ energy levels up, and encourage healthy eating habits. In design terms, this means extra attention to kitchen and break areas, where special refrigeration units can be specified to accommodate “grab and go” self-serve markets in-house. While more cost-conscious firms may forgo this option, having access to fresh and healthy meals in-house is a perk that anyone can appreciate.

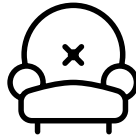


Just Breathe

The benefits of physical fitness and meditation have been well-documented, and in the stressful world of law, the opportunity to slow down, breathe and take some time to look inward is generally a foreign concept. But some firms, as large as Kirkland and Ellis,¹³ are starting to embrace practices such as yoga with an understanding that fitness, calm and relaxation are the foundation of high morale and productivity. While more and more landlords are providing this type of amenity space within buildings, designing small, multi-purpose private spaces into the office layout can provide a cost-efficient way to accommodate fitness, yoga and meditation programs for professional and support staff. These smaller spaces can accommodate multiple well-being-related functions apart from yoga or meditation, such as prayer or general rest.

Opposite: The “Per Se Café” at Bryan Cave Leighton Paisner LLP provides teammates with a warm, light-filled space accented with home-like furnishings and fixtures, and multiple choices for seating, gathering and play.





Chill, Socialize

Respite means different things to different people — for some, it's kicking back with a beer and some good company, and for others, a little quiet time and a place to put one's feet up is just the thing. The legal workplace can accommodate a range of these spaces, especially when unavoidable long hours necessitate longer periods of time away from home and other typical social spaces.

NELSON's design solution for Bryan Cave Leighton Paisner LLP in Chicago established an unconventional but welcome new social space within the firm's office. The "Per Se Café" (so named thanks to an in-house competition) is a warm, light-filled space accented with home-like furnishings and fixtures, and multiple choices for seating, gathering and play, from a sofa and armchairs to more private booths. The café is an intentional diversion from the main working areas of the office, meant to offer employees both an alternative to their desks and a comfortable area in which to chat, catch up on the news of the day, or have a meal.

To design a workplace that supports a collegial, positive atmosphere, and is sensitive to a range of personalities, it is imperative for law firms to incorporate spaces that allow for a range of non-work activity, from socializing to "chill" space. These spaces serve as essential mini-getaways from the daily work routine, and convey a sense of flexibility and choice in the work environment.



The Right Stuff

A rich and varied line of furniture products now offers every kind of support for long, demanding days. Sit-to-stand desks, growing rapidly in popularity, allow for changes in position throughout the day to combat musculoskeletal issues that can arise from remaining too long in one position. Ergonomic furniture and footrests minimize physical stress, while devices such as steppers and under-desk pedals provide further opportunities for healthy movement. A wide range of lighting choices can provide relief from eye strain.

Firms that incorporate these solutions tend to see a reduction in insurance claims for issues such as carpal tunnel and back-related problems. While much of this furniture technology is slowly falling

in price, other strategies such as minimizing high-end finishes within the office design can free up budget for ergonomic and active furniture solutions.

Conclusion

In today's legal marketplace, a workplace design that considers the whole person is what will give law firms a competitive edge — both in terms of productivity and in winning the talent war. But the real significance of designing for well-being comes back to the individual. While mitigating the adverse effects of burnout has benefits for businesses, in the end, it's about contributing to a high quality of life — and those ripple effects are felt well beyond P&L reports or the conference room.

This work/break space at Seyfarth Shaw LLP, Los Angeles serves as a mini-getaway from the daily work routine and conveys a sense of flexibility and choice in the work environment.

Law firms face an important choice as they consider future workplace design options — do they want business as usual, or do they want to be the law firm that accommodates and nurtures happy employees? It's the latter that will really grab the interest and attention of today's up-and-coming talent.



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Marty Festenstein serves as NELSON's Legal Practice Group Leader, driving creativity and strategy for clients nationally. Throughout his 30-year career, he has managed over 12 million square feet and over 400 workplace projects, gaining a reputation as a workplace "trusted adviser" across the country. Marty has contributed to numerous writings in Crain's Chicago Business, Chicago Lawyer Magazine, Law Firm, Inc., and American Lawyer. His speaking engagements have included the Association of Legal Administrators' Annual Convention, Managing Partner Round Tables, and the annual NeoCon design conference.

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White Paper

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