



**Policy Name:** Whistleblower and Anti-Retaliation Policy

**Date of Issuance:** 08/01/2022

**Policy Owner:** General Counsel and Chief of People and Culture

**Applies to:** USA Volleyball Employees, USA Volleyball Board of Directors, Officers, and Committee Members, USA Volleyball Contractors, USA Volleyball athletes, USAV Task Force Members (if any), USA Volleyball Hearing Panel Members (if any), USA Volunteers, and USA Volleyball Members (the “USAV Organization”)

**Purpose:**

To guide the USAV Organization on how to report activity that is in violation of any USA Volleyball (“USAV”) policy, or federal or state law. Further, this policy is to guarantee protection to those individuals of the USAV Organization who may report such activity.

Any contractors with USAV are required to follow this Whistleblower and Anti-Retaliation Policy whether or not included specifically in the independent contractor agreement.

For the avoidance of doubt, this policy also applies to any good faith reporter or other reasonable party such as a witness, victim, etc. Anyone with questions or concerns about who this policy applies to may discuss those questions or concerns with USAV General Counsel or USAV Chief of People and Culture.

**Policy Statement:**

If an individual with the USAV Organization witnesses or receives direct information that a USAV policy, practice, or activity is in violation or breach of any USAV policy, or federal or state law, then she or he should immediately report any information of the violation to the USAV Chief of People and Culture and the USAV Board Chair. If an individual with the USAV Organization witnesses or receives direct information that the USAV CEO has committed a violation of federal or state law, then the employee is to report the allegation violation and evidence to the USAV Board Chair or a USAV Board Personnel Committee member. All reports of allegedly illegal activity may be reported verbally or in writing.

All individuals with the USAV Organization are urged to directly notify the USAV Chief of People and Culture and the USAV Board Chair on one or more of the following areas concerning:

1. Conduct or statements that are corrupt, dishonest or fraudulent by an individual with the USAV Organization;
2. A threat or act of criminal activity or violation of any applicable law or regulation;
3. A potential or actual danger to the public, or to an individual or multiple individuals with the USAV Organization’s health, safety and/or security;

4. Theft or fraud against USAV;
5. Purposeful misinformation or false statement(s) to or by a member of Senior Management or to public authorities;
6. Inappropriate accounting practices, internal accounting controls or audit matters;
7. Conduct in violation of USAV Bylaws, policies and/or procedures;
8. Abuse of authority, including but not limited to instructions not to report breaches of USAV policies or violations of federal or state laws to the appropriate party or to the proper authorities;
9. Abuse of authority by the CEO or delegated authority on instructions not to report breach of policy or violations of federal or state law to the appropriate party or to the proper authorities;
10. Any form of threatening behavior or words, fraud, theft, questionable accounting, discrimination, harassment, and/or retaliation.
11. Conduct in violation of the United States Olympic and Paralympic Committee Bylaws or policies or the Ted Stevens' Olympic and Amateur Sports Act ("Act").

Any individual with the USAV Organization reporting illegal activity must act in good faith and provide reasonable grounds or evidence of a legal violation. If an allegation of illegal activity is proven to have been made maliciously or knowingly to be false, such an event will be viewed as a serious offense subject to disciplinary action.

Complaints and reports of violations or suspected violations of any matter may be submitted to the USAV Chief of People and Culture and USAV Board Chair on a confidential basis. Reports and complaints of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

#### **Investigation:**

Any reports of concerns under the above categories shall be collected by the USAV Chief of People and Culture and USAV Board Chair. Any and all relevant information collected by the USAV Chief of People and Culture and USAV Board Chair shall be submitted to the USAV Ethics and Eligibility Committee ("USAV E&E"), made up of disinterested parties, for review, consideration, and determination regarding alleged violations.

#### **Anti-Retaliation:**

No individual with the USAV Organization who, in good faith, reports a violation of the above matters shall be subject to retaliation, including, harassed, threatened, discriminated against, demoted, discharged or subjected to other forms of retaliation or other adverse consequences associated with the reporting.

Per the Ted Stevens Olympic and Amateur Sports Act (the "Act"), retaliation means any adverse or discriminatory action, or the threat of an adverse or discriminatory action, including removal from a training facility, reduced coaching or training, reduced meals or housing, and removal from competition, carried out against a protected individual as a result of any communication, including the filing of a formal complaint, by the protected individual

or a parent or legal guardian of the protected individual relating to the allegation of physical abuse, sexual harassment, or emotional abuse, with: (1) the U.S. Center for SafeSport; (2) a coach, trainer, manager, administrator, or official associated with USAV; (3) the Attorney General; (4) a Federal or State law enforcement authority; (5) the Equal Employment Opportunity Commission; or (6) Congress.

No individual with the USAV Organization shall take or threaten to take any action against an athlete as a reprisal for disclosing information to or seeking assistance from the Office of the Athlete Ombuds.

Anyone who retaliates against someone who has reported a violation as discussed in this policy, in good faith, is subject to discipline up to and including dismissal from Board positions, cancelation of contracts, or other such applicable action. In the case of a USAV employee who has been found to have retaliated against someone under this policy, the USAV employee shall be automatically terminated or suspended without pay as required by the Act.

This Whistleblower and Anti-Retaliation Policy carries the principle that any breach or violation is to be reported internally. Any reporting individual of the USAV Organization shall avoid and refrain from any form of seeking external or internal publicity or communications within the volleyball industry of an alleged breach or violation unless there is a legal obligation to immediately report the same to an external party.

**Contact:**

Bernie MacLean, Chief of People and Culture may be contacted in writing at [bernie.maclean@usav.org](mailto:bernie.maclean@usav.org) or by postage at 4065 Sinton Road, Suite 200, Colorado Springs, CO 80907

Rachael Stafford, General Counsel, may be contacted at [rachael.stafford@usav.org](mailto:rachael.stafford@usav.org) or by postage at 4065 Sinton Road, Suite 200, Colorado Springs, CO 80907

The USAV Board Chair may be contacted in writing by first reaching out to USAV General Counsel for the appropriate email or postage address.

For information about the USOPC Athlete Ombuds Office visit <https://www.teamusa.org/athlete-ombuds>

**By checking the box, I acknowledge having had an opportunity to review and abide by the USA Volleyball Whistleblower and Anti-Retaliation Policy.**