

US Olympic & Paralympic Committee Procedure



Procedure Name: USOPC Ethics Procedures

Governing USOPC Policy: USOPC Ethics Policy

Date of Issuance: 3/10/2021

Policy Owner: Chief Ethics and Compliance Officer

Applies to: USOPC Staff, Volunteers, Board of Directors, Committees, and NGBs

Purpose:

To outline the procedures for review of Ethics matters, including Code of Conduct and conflict of interest disclosures, and to document investigation procedures for the USOPC's Ethics and Compliance Committee.

Overall Objective:

To ensure that objective, fair, and repeatable procedures apply to all matters subject to review by the USOPC Ethics and Compliance Committee, the USOPC's Chief Ethics & Compliance Officer, and the USOPC's Ethics Director.

Conflict of Interest Disclosures:

All USOPC employees, volunteers, and members of the USOPC Board of Directors and committees must disclose any actual or perceived conflicts of interest annually and on an ongoing basis as conflicts or potential conflicts arise. The Ethics Director collects and reviews conflict of interest disclosures, documents any actual or perceived conflicts, and determines whether any steps must be taken to mitigate conflicts. The Ethics Director may review any complex or sensitive disclosures, or disclosures from senior management, with the Chief Ethics & Compliance Officer, and those disclosures may be escalated to the USOPC's Ethics and Compliance Committee for further review and input. In addition, all USOPC board, committee, and staff conflict of interest disclosures are provided to the Ethics and Compliance Committee so its members have an opportunity to review all disclosures and discuss any additional disclosures.

As a requirement of the Ted Stevens Olympic and Amateur Sports Act (TSA) and on an annual basis, a member of the Ethics team will prepare a description of any financial conflicts of interest, including a description of any recusal or other mitigating action taken, relating to members of the USOPC's Board of Directors and the USOPC's 20 highest paid employees.¹ Those descriptions must be provided to Congress in the USOPC's annual report.

Ethics and Compliance Committee Investigations:

The Ethics and Compliance Committee may determine in its discretion whether a code of conduct or ethics complaint warrants an investigation. In making this determination, the Ethics and Compliance Committee may consider, among other things, the number of parties involved, the complexity of the issue(s) presented, whether there are disputed questions of fact, and whether the Committee's decision may have a broader impact on the

¹ Section 220511(b)(4)(B)(ix)(II) states that the USOPC must provide a description of financial conflicts of interest for any USOPC senior management. Because the TSA does not define senior management personnel, the USOPC has interpreted that category of individuals to include the USOPC's 20 highest paid employees, which is consistent with the requirement in §220511(a)(4)(B)(v) that the USOPC disclose "the amounts spent on compensation and services for executives and administration officials of the corporation, including the 20 employees. . . who receive the highest amounts of compensation."

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United States Olympic and Paralympic movement. The Ethics and Compliance Committee may also decide in its discretion whether the parties or any individuals involved should be interviewed, and what resources would be used for an investigation. The Chair of the Ethics and Compliance Committee may appoint a member of the Committee, the Ethics Director, and / or the Chief Ethics & Compliance Officer to conduct interviews and gather additional information.

All Ethics and Compliance Committee deliberations are confidential and led by the Ethics and Compliance Committee Chair. The USOPC's Ethics Director and / or Chief Ethics & Compliance Officer may be present during deliberations to answer questions about the investigation and the initial complaint, and to provide administrative support to the Committee. Ethics and Compliance Committee decisions and any action or remedy required as a result of the investigation must be agreed upon by a simple majority of the members present.² The Ethics and Compliance Committee may provide a written decision to the complainant and the respondent explaining the reasons for its decision(s) and shall copy the USOPC's CEO and Board Chair. All Ethics and Compliance Committee decisions are confidential and final, and there is no right of appeal. The outcome of Ethics and Compliance Committee investigations are also reported to the USOPC Board of Directors. The Ethics Committee may reopen a matter for further review if the Committee learns of additional evidence that would have changed the outcome of its decision.

² Committee members may submit edits to or approval of written decisions by email to ensure decisions are rendered efficiently.

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Revision History

- March 10, 2021 (initial publication)