

US Olympic & Paralympic Committee Policy



Policy Name: Gifts and Entertainment Policy

Date of Issuance: 3/10/2021

Policy Owner: Chief Ethics and Compliance Officer (CECO)

Applies to: USOPC Board of Directors and committees, USOPC staff, and volunteers

Purpose

To provide guidance to USOPC team members (defined below) in the handling situations involving gifts, entertainment, or other courtesies while serving as a representative of the USOPC.

Policy Statement

In the course of an employee's employment or a Board or committee member's tenure with the USOPC, he or she may be offered a gift or invitation to a sporting event or other form of entertainment from an individual or company that does business with, or is interested in doing business with, the USOPC. Additionally, there may be situations where it is in the USOPC's interest for an employee or Board member to offer a gift or event invitation to a third party.

In addition to gifts and invitations received or given by USOPC employees and Board or committee members, this policy applies to gifts and invitations received by the employee's or Board or committee member's spouses and immediate family members. The term "USOPC Team Member" covers all of these individuals.

To ensure this policy covers actual and potential situations where an individual or entity may be conducting business with the USOPC, this policy includes, but is not limited to, interactions with existing and potential vendors and suppliers, potential new hires, existing or potential independent contractors, volunteers, or agents of the USOPC, and any individual or organization with whom a USOPC Team Member may come into contact based on their association with the USOPC.

This policy should not be considered as an encouragement to make, solicit or receive any type of entertainment or gift. Indeed, USOPC Team Members may not, under any circumstances, actively solicit any type of gift or form of entertainment. Further, the USOPC will not under any circumstances permit or authorize the receipt of any business gifts or participation in entertainment that might be considered lavish, inappropriate, or illegal. **The only permitted gifts or entertainment are those outlined in this policy, and those gifts or entertainment must be properly disclosed.**

USOPC Team Members with questions or concerns about giving or receiving a gift or entertainment should discuss that concern or question with the Director of Ethics.

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Non-Gifts

The following items/scenarios do not constitute a reportable gift or entertainment under this policy:

- a) Any item or event which is available to the general public and the USOPC Team Member pays fair market value for;
- b) Promotional items that are provided to all attendees at an event or items of nominal value (less than \$25.00 retail value);
- c) A gift or invitation extended by a relative or provided by an individual on the basis of personal friendship; individuals subject to this policy must be mindful of gifts and invitations based on friendship as opposed to gifts and invitations provided based on one's role with the USOPC;
- d) An item which may be publicly displayed or shared among USOPC employees, such as flowers or cookies; or
- e) Food and/or beverage provided as meal or refreshment at a business meeting or reception attended by a USOPC Team Member as part of their official responsibilities, provided such food and/or beverage is reasonable for the event.

Receiving Business Courtesies

I. Current Business Partners

USOPC Team Members may accept gifts from individuals and companies that currently do business with, or make donations to, the USOPC (Current Business Partners) as follows:

- a) partner/sponsor/supplier products and partner/sponsor/supplier-branded products (e.g., logoed jackets) with a value of up to \$1,000 per USOPC Team Member, per year, per Current Business Partner;
- b) other gifts with a value of not more than \$100 per USOPC Team Member, per year, per Current Business Partner;
- c) invitations for a USOPC employee, Board member, or committee member to attend sporting events with an Current Business Partner or its representatives;
 - i) travel accommodations to and from such events may only be accepted to the extent approved in advance by the Director of Ethics;
- d) on an infrequent basis, invitations for a spouse or family member to join a USOPC employee, Board member, or committee member at a sporting event with a Current Business Partner or its representatives;
 - i) travel accommodations to and from such events for the spouse or family member may only be accepted to the extent approved in advance by the Director of Ethics;
- e) invitations to attend fundraising events with a Current Business Partner or its representatives at no cost to the USOPC Team Member;
- f) invitations to attend other social, educational or entertainment events intended to enhance the business relationship with the Current Business Partner, provided that the cost of the event does not exceed \$100 per USOPC Team Member, per event, and \$400 total per Current Business Partner, per year; and
- g) perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.

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II. Prospective Business Partners

USOPC Team Members may accept gifts from individuals and companies that are not current business partners of the USOPC, but that may or may not be seeking to engage in a business relationship with the USOPC (Prospective Business Partners), as follows:

- a) gifts with a value of not more than \$100 per USOPC Team Member, per year, per Prospective Business Partner;
- b) invitations for a USOPC employee, Board member, or committee member to attend sporting events with a Prospective Business Partner or its representatives (but not travel to and from such events);
- c) invitations to attend fundraising events with a Prospective Business Partner or its representatives; and
- d) invitations to attend other social, educational or entertainment events intended to promote the possible business relationship, provided that the cost of the event does not exceed \$100 per USOPC Team Member, per event, and \$200 total per USOPC Team Member, per Prospective Business Partner, per year.

USOPC Team Members may accept gift certificates from Current or Prospective Business Partners within the limits set forth in this policy, but may never accept cash or other financial instruments (e.g., checks, stocks) in any amount from a Current or Prospective Business Partner.

III. Anonymous Gifts

USOPC Team Members cannot accept anonymous gifts which are sent to them in their official capacity. Anonymous gifts should be disclosed and given to the Director of Ethics.

IV. International Events

USOPC Team Members who receive gifts from international organizations, e.g., International Olympic Committee, International Paralympic Committee, in connection with their official duties in excess of the limits outlined in this policy must disclose those gifts to the Director of Ethics using the form attached to this policy.

V. Disclosure and Approval

USOPC Team Members must disclose any and all gifts or invitations received in their capacity as an employee or representative of the USOPC. **The Gift Disclosure form is included in this policy and may also be found on the USOPC Policies and Procedures page on SharePoint.**

A gift is any item of value provided by individuals and/or organizations with present or prospective business relationships with the USOPC. If you are unsure whether a gift should be disclosed, consult Director of Ethics.

Prior to accepting invitations that include travel and overnight accommodations, written approval must be received from the Director of Ethics.

In the event that a USOPC Team Member receives a gift that exceeds the permissible limits, but is concerned that returning the gift may appear discourteous or it is not reasonably possible to refuse

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the acceptance of the gift (e.g., an anonymous gift, a gift being delivered by a third-party courier to the Team Member's office), the USOPC Team Member must provide the gift to the Director of Ethics. The receipt of these surrendered gifts, which will be donated to the USOPC or another designated charity, will be logged by Ethics and Compliance.

The Director of Ethics shall have the right, in consultation with the affected USOPC Team Member, to require that any gift(s), including those which would be otherwise acceptable under the terms of this Policy, be surrendered and donated to the USOPC or another agreed upon charity if the Director of Ethics believes that such gift(s) is not proper and/or creates an appearance of impropriety.

Any potential gifts or invitations extended to a third party that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance by, the Director of Ethics before they may be accepted.

The USOPC Gifts and Entertainment Policy supplements the standards set forth in the USOPC Code of Conduct and Team Member Handbook. The USOPC expects its Team Members and affiliates to conduct themselves to the highest ethical standards in keeping with the USOPC's values.

Extending Business Courtesies

I. Current or Prospective Business Partners

There may be times when a USOPC employee or Board member (for purposes of this section, USOPC Host) wishes to extend a gift or an invitation to attend a social event (e.g., reception, meal, sporting event, or theatrical event) to a Current or Prospective Business Partner to further or develop a business relationship.

In such instances, gifts may not exceed \$100 per person, per year, without the prior written approval of the Director of Ethics.

Invitations to events must be reasonable and appropriate. Topics of a business nature must be discussed at the event, and the USOPC Host must be present. The cost associated with such an event should not exceed \$100 per person/company per year, except with regard to sporting events and fundraising functions, without the prior written approval of the CEO and the Director of Ethics. Moreover, such business entertainment with respect to any particular individual must be infrequent, which, as a general rule, means not more than four times per calendar year. Any business entertainment in excess of this standard must be approved in writing by the CEO and the Director of Ethics. All such business entertainment must comport with the code of conduct or code of ethics of the recipient's organization.

USOPC Team Members may give gift certificates within the limits set forth in this policy but may never give cash or financial instruments (e.g., checks, stocks) in any amount.

II. Development Division

The USOPC recognizes that the foregoing limits may limit the ability of Development Division team members to perform their job functions. As a result, the limits outlined in this policy do not apply to the Development Division if the invitation/event/etc. is part of normal and reasonable job duties and

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the event is not lavish or unreasonable. For the Development Division, costs of gifts and events must not exceed \$600 per person, per year.

III. Government Employees

The giving of gifts to federal, state and local government employees is governed by a complex set of rules that are typically agency specific. Generally, the giving of gifts to government employees is very limited or prohibited. Before offering a gift to a government employee, you must receive the approval of the Legal and Government Affairs Department and the Director of Ethics.

IV. Departing Board Members

The USOPC may provide a gift to a departing Board member as an expression of gratitude for his or her service to the organization. Costs of such gifts must not exceed \$400 and any gift should not be unduly lavish.

V. Disclosure and Approval

All gifts or invitations must be covered by the appropriate USOPC budget and must be approved in advance by the applicable USOPC Team Member's supervisor.

Any potential gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance by, the CEO and the Director of Ethics before they may be offered.

Gift Giving Among Team Members

In addition to situations involving an external individual, USOPC Team Members should also consider the following when considering giving and receiving gifts between USOPC Team Members.

- a) Gifts should not be exchanged between any USOPC Team Members who have a superior/subordinate relationship.
 - i. USOPC exempts collaborative gifts within reasonable limits among teams for special occasions (e.g., a new baby, wedding) from this policy; however, the organizers of any "pooled resources" gift must make clear that contributions are strictly voluntary.
 - ii. USOPC supervisors may purchase holiday gifts for their teams, but the amount spent should be the same for all team members and the amount should be reasonable.
 - iii. USOPC Team Members who are supervisors should not solicit contributions for a direct report from their other direct reports.
- b) For USOPC Team Members who do not have a superior/subordinate relationship, the value of an internal gift should not exceed \$25.
- c) Participation in any teamwide gift exchange, such as a "Secret Santa" should be explicitly presented as optional.
- d) All internal gifts exchanged between USOPC Team Members should be appropriate for a workplace setting and must comply with all USOPC policies.

This policy does not prohibit the personal exchange of gifts between Team Members, but Team Members engaged in personal gift exchanges should not coordinate any element of a gift exchange during work hours or using USOPC resources (e.g., email, Teams chats).

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Board Members with Multiple Roles

Some USOPC Board members may serve on multiple boards or be employed by other organizations within the Olympic and Paralympic Movement. Depending on the other role and the interactions, Board members may be subject to additional considerations when accepting a gift.

If the Board member's other position is directly linked to his or her USOPC position (e.g., a Board member serves on the IOC Board, a position he or she qualified for by virtue of his or her position on the USOPC Board), this policy shall govern any gifts given or received while the Board member is serving in his or her other capacity.

If the Board member's other position is not directly linked to his or her USOPC position (e.g., a Board member is employed by a company which is not a Business Partner of the USOPC), the Board member will not be bound by this policy when serving in his or her non-USOPC capacity and should instead follow the gift and entertainment policy of his or her employer. However, the Board member must consider the relationship between the gift giver and the USOPC. Even if a gift is given to the Board member in a non-USOPC capacity, if the gift giver is a Current or Prospective Business Partner, the gift is governed by this policy.

Policy Violations

Any USOPC Team Member found to have violated this policy will be referred to People and Culture and subject to appropriate disciplinary action, up to and including termination of employment.

If a Team Member is unsure of any of the requirements set forth in this policy or has questions regarding a specific situation related to gifts and entertainment, they should consult with their supervisor or contact the Director of Ethics.

Contact Information

Ethics Department Email: ethics@usopc.org

Director of Ethics: Evangeline Rivera (evangeline.rivera@usopc.org)

Chief Ethics and Compliance Officer: Holly Shick (holly.shick@usopc.org)

Revision History (beginning March 10, 2021)

- March 10, 2021 (revised to include feedback from outside counsel, including lowering the threshold for nominal gifts, gift disclosure requirements for board members with multiple roles, guidance on items that do not constitute gifts and handling anonymous gifts, and consequences for violating the policy)



**UNITED STATES
OLYMPIC & PARALYMPIC
COMMITTEE**

USOPC Gift Disclosure Form

Please complete this form immediately upon receipt of personal¹ gifts received in your capacity as an employee/representative of the USOPC or an immediate family member of an employee/representative of the USOPC.

Name: _____

Relationship to the USOPC: _____

- Please describe the gift(s) received: _____

- The value of the gift(s) is(are) estimated at \$ _____
Note: This is a good faith estimate based on retail value. If the value cannot reasonably be estimated or determined, so state.
- Please describe the source of the gift(s) (name and relationship to the USOPC) and under what circumstances the gift(s) was(were) received:

- Indicate below any matters pending or likely to arise in the future that might involve the gift giver or a related party:

Certification: I certify that the gift(s) disclosed above was(were) not solicited.

SIGNATURE: _____

DATE: _____

**Submit this completed form to: Ethics Officer
United States Olympic & Paralympic Committee
One Olympic Plaza
Colorado Springs, CO 80909-5760
ethics@usopc.org**

¹The USOPC defines personal gifts as: Items of value provided by individuals and/or organizations with present or prospective business relationships with the USOPC. Promotional gifts which are not personal, but rather provided to all attendees at an event, and items of nominal value (less than \$25.00 retail value) are exempted from disclosure. Examples of exempt gifts may be coffee mugs, hats, or pins. If you are unsure whether a gift should be disclosed, consult Ethics and Compliance.