

Policy Name: Gifts and Entertainment Policy

Date of Issuance:

Policy Owner:

Applies to: BOD and USA Diving Staff

Purpose:

To guide USA Diving Team Members (defined below) regarding how to handle gift/courtesies situations

Policy Statement:

From time to time, in the course of an employee's employment or a Board member's tenure with USA Diving, he or she may be offered a gift or invitation to a sporting event or other form of entertainment from individuals or companies that do business with, or are interested in doing business with, USA Diving. Additionally, there may be times where it is in USA Diving's interest for an employee or Board member to offer a gift or invitation to an event to a third party.

This policy should not be considered in any way as an encouragement to make, solicit or receive any type of entertainment or gift. Indeed, USA Diving Team Members may not, under any circumstances, actively solicit any type of entertainment or gift. Further, USA Diving will not under any circumstances permit or authorize participation in any business gifts or entertainment that might be considered lavish, inappropriate or illegal.

In addition to gifts and invitations received by USA Diving employees and Board members, this policy applies to gifts and invitations to the employee's or Board member's spouses and immediate family members. "USA Diving Team Member" is intended to cover all of these individuals. USA Diving Team Members with questions or concerns about the giving or receiving of a gift should discuss that concern or question with the Chair of the Ethics Committee.

Receiving Business Courtesies

General Rules:

I. Current Business Partners: USA Diving Team Members may accept gifts from individuals and companies that currently do business with, or make donations to, USA Diving 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 USA Diving Team Member, per year, per individual/company; (b) other gifts with a value of not more than \$100 per USA Diving Team Member, per year, per individual/company; (c) invitations for the USA Diving employee/Board member to attend sporting events with an individual/company representative (including travel to and from such events only to the extent approved in advance by the Ethics Committee); (d) on an infrequent basis, invitations for a spouse or family member to join the USA Diving employee/Board member at a sporting event with an individual/company representative; (e) invitations to attend fundraising events with an individual/company representative at no cost to the USA Diving Team Member; (f) invitations to attend other social, educational or entertainment events intended to enhance the business relationship, provided that the cost of the event does not exceed \$100 per USA Diving Team Member per event and \$400 total per individual/company per year; and (g) perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.

II. Prospective Business Partners: USA Diving Team Members may accept gifts from individuals and companies that are not current business partners of USA Diving, but that may or may not be seeking to engage in a business relationship with USA Diving as follows: (a) gifts with a value of not more than \$100 per USA Diving Team Member, per year, per individual/company; (b)

invitations for the USA Diving employee/Board member to attend sporting events with an individual/company representative (but not travel to and from such events); (c) invitations to attend fundraising events with an individual/company representative; (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 USA Diving Team Member per event and \$200 total per USA Diving Team Member per individual/company per year.

USA Diving colleagues may accept gift certificates within the limits set forth in this policy, but may never accept cash or financial instruments (e.g., checks, stocks).

Disclosure and approval:

All gifts or invitations falling under section I(a), I(c) and II(b) above and all invitations that involve the third party paying for the USA Diving Team Member's travel and/or overnight accommodations must be promptly reported to the Chair of the Ethics Committee. Prior to accepting invitations to opportunities that include travel and overnight accommodations during business hours, written approval must be received from the USA Diving Team Member's supervisor and the Chair of the Ethics Committee.

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 Chair of the Ethics Committee before they may be accepted.

In addition, the Ethics Committee shall have the right, in consultation with the affected USA Diving Team Member, to require that any gift(s) be donated to USA Diving or another agreed upon charity if the Ethics Committee believes that such gift(s) is not proper and/or creates an appearance of impropriety.

The Gift Disclosure form is attached.

Extending Business Courtesies

General rules:

There may be times when a USA Diving employee or Board member (for purposes of this section "USA Diving Host") wishes, as a business matter, to extend to a current or potential USA Diving business associate (i.e., an individual or company) a gift or an invitation to attend a social event (e.g., reception, meal, sporting event, or theatrical event) 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 CEO and the Ethics Committee.

Invitations to events must be reasonable and appropriate. Topics of a business nature must be discussed at the event, and the USA Diving 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 Ethics Committee. 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 year. Frequency beyond the foregoing must be approved in writing by the CEO and the Ethics Committee. All such business entertainment must comport with the code of conduct or code of ethics of the recipient's organization.

USA Diving colleagues may give gift certificates within the limits set forth in this policy, but may never give cash or financial instruments (e.g., checks, stocks).

Development Efforts:

USA Diving recognizes that the foregoing limits may hamper Development Efforts. In light of this, the foregoing limits will not apply to Development Efforts if the invitation/event/etc. is part of normal and reasonable job duties and the event is not lavish or unreasonable. For Development Efforts, costs of gifts and events should not exceed \$600 per person per year.

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 Ethics Committee.

Disclosure and approval:

All gifts or invitations must be covered by the appropriate USA Diving budget and must be approved in advance by the applicable USA Diving 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 Ethics Committee before they may be offered.

Summary

Generally, giving or receiving gifts or invitations are limited by rules set by USA Diving, and USA Diving Team Members are encouraged to seek advice if uncertain from either his/her supervisor or the Ethics Committee.

USA Diving Gift Disclosure Form

Please complete this form immediately upon receipt of personal¹ gifts received in your capacity as an employee or representative of USA Diving.

Name: _____ USA Diving Employee USA Diving Volunteer

USA Diving Staff or Volunteer Position: _____

• Please describe the gift(s) received: _____

• The value of the gift is 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 (name and relationship to USA Diving) and under what circumstances it was received:

• Indicate below any matters pending or likely to arise in the future that might involve the donor:

Certification: I certify that this gift was not solicited.

SIGNATURE: _____

DATE: _____

Send this completed form to: Ethics Committee

*USA Diving
9801 Fall Creek Rd #412
Indianapolis, IN 46256*

¹USA Diving defines personal gifts as: Items of value provided by individuals and/or organizations with present or prospective business relationships with USA Diving. Excluded from disclosure are promotional gifts of nominal value (Less than \$50.00 retail value) such as coffee mugs, hats, pins, etc.