UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE CERTIFICATION REVIEW GROUP



Certification Renewal Recommendation Report for USA Weightlifting

December 7, 2022





USA Weightlifting Certification Renewal Executive Summary

In April 2022, the United States Olympic and Paralympic Committee (USOPC) Certification Review Group (CRG), in accordance with the USOPC's NGB Certification Policy, began a certification renewal review of USA Weightlifting.¹ The CRG evaluated USA Weightlifting and based on input from CRG members, including USA Weightlifting's progress toward resolving the findings of NGB Audit's 2021 Compliance Audit,² recommends a certification status of Renewal with Conditions.

The CRG's review of USA Weightlifting found that the organization is meeting most of the USOPC's NGB Compliance Standards in the five core areas of evaluation for certification: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Protections and Rights, Sport Performance, and Operational Performance. A Compliance Audit conducted by the USOPC's NGB Audit team in the third quarter of 2021 identified several areas where USA Weightlifting was not fully meeting the NGB Compliance Standards, including findings related to its management of conflicts of interest, USOPC funding, and its athlete safety policies, among other findings.

During the CRG's review period, USA Weightlifting made a good faith effort to reach compliance with the NGB Compliance Standards and remediated most of its outstanding audit findings by the time of the CRG's recommendation. However, there are still significant issues identified by the CRG that remain outstanding and will be considered conditions of USA Weightlifting's certification. The conditions of USA Weightlifting's certification as an NGB are:

- USA Weightlifting must demonstrate that its conflict of interest disclosure and review process is effective, including in disclosure and independent review of contracts involving conflicted members of the Masters Committee.
- USA Weightlifting must demonstrate that it is conducting all required background checks to meet the NGB Compliance Standards and the USA Weightlifting Background Check Policy.

As a result of this review, the CRG recommends that USA Weightlifting be granted a certification status of Renewal with Conditions. In accordance with the NGB Certification Policy, USA Weightlifting has 180 days from the USOPC Board of Directors' ratification of this recommendation to resolve the remaining deficiencies outlined in this report. If the CRG determines that USA Weightlifting has successfully addressed the specified issues within that timeframe, the CRG will recommend that its certification status be upgraded to Renewal in Good Standing. If USA Weightlifting fails to resolve the specified issues to the CRG's satisfaction within that timeframe, its certification rating will be downgraded to Probationary Renewal and the USOPC will discuss whether accountability measures are appropriate to address USA Weightlifting's delayed action.

¹ See Appendix for more information about the certification process, including a link to the NGB Certification Policy.

² NGB Audit Report and NGB Audit Addendum Report.



Organizational Overview

USA Weightlifting is the USOPC-certified NGB for weightlifting and the U.S. representative to the International Weightlifting Federation (IWF). USA Weightlifting's mission is "to support U.S. athletes in achieving excellence in Olympic and World competition and to support, promote, and educate a diverse and inclusive community of weightlifting and the use of the barbell in the U.S."³ The NGB is staffed by thirteen employees and is based in Colorado Springs, Colorado.⁴

Certification History

USA Weightlifting was originally certified in January 2021.⁵ The CRG's certification review was initiated based on USA Weightlifting's scheduled quadrennial certification review. USA Weightlifting's certification status has not been referred for review outside of the standard NGB certification review schedule.

Certification Exceptions⁶

USA Weightlifting did not request any exceptions from the NGB Compliance Standards during its certification review.

Athlete Representation Approval and Exceptions⁷

USA Weightlifting requested that the Athlete Representation Review Working Group (ARRWG) approve seven additional competitions as qualifying events for 10-Year and 10-Year+ status to expand the pool of athletes eligible to serve as athlete representatives. These competitions are:

- IWF World Championships
- IWF World Junior Championships
- IWF World Youth Championships
- IWF Grand Prix Series

- IWF Olympic Qualification Events
- FISU World University Games
- IWF Pan American Championships

The ARRWG approved all competitions except the IWF World Youth Championships. The ARRWG agreed that, while this event is a feeder event for senior level competition and the NGB selects participants through selection process, it is too far removed from the senior level to be rightly considered elite competition for the purpose of elite athlete representation. The ARRWG also stated that the FISU World University Games should be monitored closely to ensure that it is an elite competition.

The ARRWG also reviewed and approved the following committees as Designated:

- Audit / Finance
- Compensation
 - Ethics

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Judicial

• Nominating and Governance

The committees below do not engage any of the designated functions outlined in USA Weightlifting's bylaws, and thus were approved by the ARRWG as Other Committees:

- Legal
- Fundraising
- State Organizations Council

- Hall of Fame
- Technical
- Competition

³ About USAW

⁴ Id.

⁵ Refer to the Appendix for details on the initial certification.

⁶ Refer to the Appendix for details on exception requests to the NGB Compliance Standards.

⁷ Refer to the Appendix for details on athlete representation exception requests.



- Coaching
- Diversity and Inclusion
- Marketing

Certification Review⁸

Governance and Compliance

• Youth

• Sport Medicine

The CRG determined that USA Weightlifting is fulfilling many of the Governance and Compliance-related responsibilities of an NGB. USA Weightlifting has adopted a code of conduct, conflicts of interest policy, and gifts and entertainment policy; has made these policies publicly available on its website; and has defined procedures to address violations of these policies.

NGB Audit found that USA Weightlifting's bylaws were missing elements required by the NGB Compliance Standards, including election procedures that were not consistent with athlete representation requirements for the Board of Directors and Designated Committees and requirements for affiliate representation on the Board of Directors, among other elements. USA Weightlifting revised its bylaws to include the missing elements and the USA Weightlifting Board of Directors adopted the new bylaws as of March 2022 to resolve these findings.

While USA Weightlifting had policies in place, NGB Audit found that USA Weightlifting's code of conduct, conflict of interest policy, and gifts and entertainment policy required updates to fully meet the NGB Compliance Standards. USA Weightlifting revised these policies, and. all revised policies have been published on the USA Weightlifting website.

In addition to the findings with the policy, NGB Audit's testing found that USA Weightlifting's conflict of interest disclosure process was not being conducted consistent with its conflicts of interest policy with multiple instances of disclosure forms not being completed, forms where reviews were not documented, and failures to disclose conflicts identified by NGB Audit in its due diligence. Additionally, NGB Audit also found instances where USA Weightlifting's Masters Committee awarded contracts to members' personal businesses without appropriate disclosure or review consistent with its conflicts of interest policy. NGB Audit retested a new sample of disclosure forms in June 2022. USA Weightlifting showed improvement in its execution of the conflict disclosure and review process, but NGB Audit found that there were some areas where USA Weightlifting still had not met all requirements and the Masters Committee concerns were not resolved to NGB Audit's satisfaction. The CRG considered this a significant deficiency.

NGB Audit also found that USA Weightlifting did not have formal onboarding processes in place for new committee members. USA Weightlifting did not implement onboarding training for its committee members by the time of NGB Audit's follow-up review in July 2022. While the finding remains open, NGB Audit considers this to be a marginal issue that does not impact USA Weightlifting's certification status.

While USA Weightlifting made significant progress in Governance and Compliance, particularly in addressing NGB Audit's findings, the organization must make further improvements before the CRG will consider recommending a Renewal in Good Standing rating. As a condition of this certification renewal, USA Weightlifting must demonstrate that its conflict of interest disclosure process is effective and that there are adequate controls in place for disclosure and review of contracts awarded to businesses connected to Masters Committee members.

Financial Standards and Reporting Practices

⁸ Refer to the Appendix for additional details on the review standards and process for information related to NGB Audit's Report on USA Weightlifting.



USA Weightlifting meets the majority of the requirements for an NGB's Financial Standards and Reporting Practices. The organization demonstrates financial operational capability to administer its sport and is financially and operationally transparent with its membership by publishing its audited financial statements and tax forms.

In the 2021 Compliance Audit, NGB Audit found that USA Weightlifting's financial policies and procedures did not include all elements required by the NGB Compliance Standards. USA Weightlifting revised its financial policies and procedures to include the missing elements.

NGB Audit's review of USOPC funding controls also found that USA Weightlifting's general ledger did not match the expenses reported in the 2020 USOPC International Relations final grant report, multiple instances of missing receipts for expenses, and multiple expenses that did not have evidence of approval due to a lack of controls over payroll expenditures. NGB Audit's follow-up testing found that while expenses had sufficient support, there were still inconsistencies between the NGB's International Relations grant report and general ledger for fiscal year 2021 and there were no new controls implemented to resolve the issues with the payroll approval process. USA Weightlifting must demonstrate the efficacy of its controls for USOPC grant funding and implement new payroll process controls before this finding will be closed, though NGB Audit considers it a marginal issue.

Athlete Protection and Rights

USA Weightlifting maintains and executes, with some deficiencies, an athlete safety program consistent with the requirements of relevant federal law, as well as with the policies and standards of the USOPC and the U.S. Center for SafeSport (the Center). The USOPC is not aware of any non-compliance issues with the anti-doping rules and requirements of the USOPC and the U.S. Anti-Doping Agency.

The USOPC is not aware of any cases it has received in the past four years concerning USA Weightlifting that should have been reported to the Center but were not reported in accordance with the Center's reporting requirements. For its part, the USOPC has reported all matters to the Center relating to USA Weightlifting that the USOPC was required to report.

In 2019, the Center conducted its most recent Administrative Audit of USA Weightlifting's implementation of policies required by the Center's SafeSport Code and Minor Athlete Abuse Prevention Policies.⁹ USA Weightlifting received a rating of "Fully Implemented" in all areas of evaluation and the audit resulted in no corrective action requirements or recommendations. In December 2021, the Center conducted its most recent Event Audit for USA Weightlifting at the 2021 North American Open Series Final, resulting in two minor findings and direction for corrective actions. Specifically, USA Weightlifting was required to "ensure that communications of [its] reporting protocol include clear directions for how to report violations of the MAAPP" and "update its Quality Control System...to include complete protocols for when [USA Weightlifting] is not on site" for an event."¹⁰ USA Weightlifting took corrective action to resolve the Center's findings and the Center confirmed USA Weightlifting's full compliance as of June 2022.¹¹

NGB Audit found that USA Weightlifting's bylaws and athlete waivers did not include the specific anti-doping language required by the NGB Compliance Standards. USA Weightlifting amended its bylaws and revised the waiver to include the correct language and both documents now fully meet the NGB Compliance Standards.

NGB Audit also found that USA Weightlifting's background check policy was missing elements required by the NGB Compliance Standards. USA Weightlifting revised and published its background check policy to

⁹ The US Center for SafeSport conducted an Administrative Audit of USA Weightlifting in September 2022, but the results of that audit were not available by the time of the CRG's review and recommendation.

¹⁰ US Center for SafeSport Event Audit Report – 2021 North American Open Series Final, December 2-3, 2021.

¹¹ US Center for SafeSport Corrective Actions Update, June 8, 2022



include the required elements. NGB Audit's testing identified multiple individuals who had not received background checks as required by the policy. After the remediation period, NGB Audit retested USA Weightlifting's background check execution and found additional individuals had not been screened as required. As a condition of this certification, USA Weightlifting must demonstrate that it has resolved these issues and that it is conducting all required background checks to meet the requirements of the USOPC and its own Background Check Policy.

Sport Performance

USA Weightlifting is fulfilling its obligations in Sport Performance. The organization maintains and executes a strategic plan that supports athletes in achieving sustained competitive excellence. USA Weightlifting established clear selection procedures and identified selection trials competitions for Delegation Event qualification.

Operational Performance

The CRG determined that USA Weightlifting demonstrates the managerial capability to administer its sport and maintains adequate insurance to manage its risk, fulfilling its Operational Performance obligations.

NGB Audit found that USA Weightlifting's whistleblower and anti-retaliation policy and grievance procedures were missing elements required by the NGB Compliance Standards. USA Weightlifting revised these documents to include all missing elements and published the updated versions in July 2022 to resolve this finding.

USA Weightlifting maintains a 2020-2024 Diversity, Equity, and Inclusion (DE&I) Action Plan¹² that describes its DE&I vision and strategy for the coming years. USA Weightlifting's action plan contains several priorities the organization is focused on to advance DE&I in weightlifting, including increasing the number of female and BIPOC coaches in the sport, improving the NGB's strategy for diverse recruitment within its governance structure and national office staff, improving DE&I education for its membership, and retaining and engaging with BIPOC and LGBTQIA communities. The plan also includes information about the programs that USA Weightlifting has implemented or will implement this quadrennium to accomplish its priorities.

Conclusion

USA Weightlifting must address two areas of concern before it is meeting all requirements and expectations of an NGB. While there are no outstanding severe deficiencies that merit the consideration of immediate decertification, based on input from CRG members and the outstanding NGB Audit findings, the CRG has identified significant issues that require remediation before the CRG recommends certifying USA Weightlifting as a member in good standing. As such, the CRG recommends that USA Weightlifting's certification as a member organization of the USOPC be renewed with a rating of Renewal with Conditions. The conditions of this certification are:

- USA Weightlifting must demonstrate that its conflict of interest disclosure and review process is
 effective, including in disclosure and independent review of contracts involving conflicted members
 of the Masters Committee.
- USA Weightlifting must demonstrate that it is conducting all required background checks to meet the NGB Compliance Standards and the USA Weightlifting Background Check Policy.

As part of this Renewal with Conditions rating, USA Weightlifting will have 180 days from the date of the USOPC Board of Directors' ratification of this report to correct the outstanding significant issues. If USA

¹² <u>USA Weightlifting Diversity, Equity, and Inclusion Action Plan, 2020-2024</u>, February 1, 2021.



Weightlifting successfully meets these conditions, the CRG will recommend that its certification rating be upgraded to Renewal in Good Standing. If USA Weightlifting does not take satisfactory action to meet the conditions of this certification within 180 days, its certification rating will be downgraded to Probationary Renewal and the USOPC will discuss whether accountability measures are appropriate to address USA Weightlifting's delayed action.



Appendix

Certification Renewal Process

The USOPC believes in a culture of strong governance, ethics, and compliance among the NGBs that, as member organizations of the USOPC, make up the Olympic and Paralympic movement. Recent amendments to the Ted Stevens Olympic and Amateur Sports Act, which became effective in late 2020, require the USOPC to certify NGBs.¹³ The USOPC determined that as of January 1, 2021, all member organizations would be certified, and their certifications would be reviewed for renewal on a rolling basis every four years.¹⁴

Governed by the USOPC's <u>Certification Renewal Policy</u>, the NGB certification review process is supported by a cross-functional body of professionals at the USOPC, the Certification Review Group (CRG), who interact with NGBs in their day-to-day work. These professionals evaluate an NGB's operations across multiple functional areas to provide a holistic review of an NGB's performance and culture.¹⁵ In addition to enumerated standards for NGB performance described in the Act, the Bylaws, and the USOPC's <u>NGB</u> <u>Compliance Standards</u>, the CRG considers departmental observations about an NGB's operations that may not be identified in a formal audit scenario but are relevant to consider when evaluating an NGB's overall performance.

Certification Standards, Exceptions, and Review Components

As described in Section 8.4.1 of the <u>USOPC Bylaws</u>, NGBs must satisfy certification requirements in five core areas: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Safety, Sport Performance, and Operational Performance. The USOPC Implementation Guide for NGB Compliance Standards provides NGBs with specific guidance for how they will be evaluated in each of these core areas.

Section 8.4.2 of the USOPC Bylaws permits an NGB to submit a request for limited exceptions to any of the NGB Compliance Standards which, as a result of its overall structure or other extenuating circumstances, cannot or need not be reasonably met. The CRG evaluates all requests received and grants or denies such limited exceptions.

Various provisions of Section 8.5 of the USOPC Bylaws permit NGBs to seek exceptions related to minimum athlete representation requirements on boards and designated committees as well as exceptions or additions to which of its committees are considered designated committees. The Athlete Representation Review Working Group evaluates and approves or denies all requests made under Section 8.5.

¹³ See §220521(a) of the Ted Stevens Olympic and Amateur Sports Act.

¹⁴ NGB Certification Policy, Section 1.

¹⁵ The CRG uses a four-year lookback period during this review process.