

# US Olympic and Paralympic Committee Policy



**Policy Name:** Gifts and Entertainment Policy

**Publication Date:** 12/7/2022

**Policy Owner:** Chief Ethics and Compliance Officer

**Applies to:** USOPC Board of Directors and Committee members, USOPC staff, USOPC task force and hearing panel members, 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, a Board or committee member's tenure, or a USOPC task force member, hearing panel member, or volunteer's service with the USOPC, they 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, Board or committee members, task force and hearing panel members, and volunteers, this policy applies to gifts and invitations received by those individuals' 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 any gifts or entertainment that exceed the policy limits 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.

## 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;

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- 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 as outlined below. See Section III for guidelines for accepting gifts from NGBs.

- a) apparel partner/sponsor/supplier products and apparel 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 \$150 per USOPC Team Member, per year, per Current Business Partner;
- c) invitations for a USOPC employee, Board member, or task force or committee member to attend sporting events with a 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 Chief Ethics and Compliance Officer or a designee on the Ethics and Compliance team;
- d) on an infrequent basis, invitations for a spouse or family member to join a USOPC employee, Board member, or task force or committee member at a sporting event with a Current Business Partner or its representatives;
- 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 \$150 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.

### **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 \$150 per USOPC Team Member, per year, per Prospective Business Partner;
- b) invitations for a USOPC employee, Board member, or task force 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

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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 \$150 per USOPC Team Member, per event, and \$300 total per USOPC Team Member, per Prospective Business Partner, per year.

## III. NGBs

USOPC Team Members may accept gifts from NGBs and their representatives as follows:

- a) gifts with a value of not more than \$150 per USOPC Team Member, per year, per NGB;
- b) invitations for a USOPC employee, Board member, or committee member to attend sporting events with an NGB or its representatives (but not travel to and from such events); and
- c) invitations to attend other social, educational or entertainment events intended to promote the NGB, provided that the cost of the event does not exceed \$150 per USOPC Team Member, per event, and \$300 total per USOPC Team Member, per NGB, per year.

USOPC Team Members must decline travel and accommodation offers by NGBs when traveling to provide training or when performing other volunteer work for an NGB unless a Team Member requests an exception that is approved by the Chief Ethics and Compliance Officer.

## IV. Gift Certificates

USOPC Team Members may accept gift certificates 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 any source.

## V. 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 Chief Ethics and Compliance Officer or a designee on the Ethics and Compliance team.

## VI. 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 using **the Gift and Entertainment Receipt Disclosure form..**

## VII. Disclosure and Approval

USOPC Team Members must disclose any and all gifts or invitations in excess of \$150 received in their capacity as an employee or representative of the USOPC either from a Current or Prospective Business Partner, or NGBs. **The Gift and Entertainment Receipt Disclosure form is available for submission through Single Sign On.**

Before accepting invitations that include travel and overnight accommodations, written approval must be received from the Chief Ethics and Compliance Officer or a designee on the Ethics and Compliance team.

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 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 either donate the gift to a charitable organization or provide the gift to the Chief Ethics and Compliance Officer or a designee on the Ethics and Compliance team. The receipt of any surrendered

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gifts, which will be donated to the USOPC or another designated charity, will be logged by the Ethics and Compliance team.

The Chief Ethics and Compliance Officer 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 Chief Ethics and Compliance Officer believes that such gift(s) is not proper and/or creates an appearance of impropriety.

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 consistent with 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 \$150 per person, per year, without the prior written approval of the Chief Ethics and Compliance Officer or a designee from the Ethics and Compliance team.

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 \$150 per person/company per year, except with regard to sporting events and fundraising functions, without the prior written approval of the Chief Ethics and Compliance Officer. Moreover, such business entertainment for 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 Chief Ethics and Compliance Officer. All such business entertainment must comport with the recipient organization's code of conduct or code of ethics.

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 or event is part of normal and reasonable job duties and the event is not lavish or unreasonable. For the Development Division, costs of gifts and events must not exceed \$600 per donor or prospect, per year. A prospect is defined as an individual who is being recruited for and has indicated an interest in making a major gift. If a single household has more than one donor or prospect, the \$600 limit applies individually to each donor or prospect. Gifts should not generally be given to children of donors or prospects.

From time-to-time the Development Division may wish to invite a donor or prospect to a fundraising event where the proceeds from ticket sales benefit a charitable organization, and the USOPC or USOPF has purchased tickets to the event. In those cases, it is appropriate to use the fair market value of the ticket in assessing and tracking the gifting value to the donor or prospect rather than the full amount of the ticket for purposes of this policy.

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While costs for gifts and events to donors and prospects must not exceed \$600 per donor or prospect, per year, the USOPC may provide donors who serve as Foundation Board members and attend Foundation Board meetings with *de minimis* gifts to facilitate their service. Acceptable gifts include but are not limited to tote bags, water bottles, or notebooks. These *de minimis* gifts need not be tracked individually, but the Development team should note what gifts were provided to all attendees at such meetings.

### 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 Chief Ethics and Compliance Officer.

### 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 outlined above must be disclosed to, and approved in advance by, the Chief Ethics and Compliance Officer or a designee from the Ethics and Compliance team before they may be offered. **The Gift and Entertainment Extension Disclosure form is available for submission through Single Sign On.**

### 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 from this policy (e.g., a new baby, wedding); 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 employee 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. Other individuals to whom this policy applies may be referred to the Ethics and Compliance Committee and may subject to further disciplinary action.

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 a member of the Ethics team.

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## Revision History (beginning March 10, 2021)

Publication Type	Policy Approver	Enabling Action	Publication Date	Next Scheduled Review	Revision Summary
Policy Update	Board of Directors	Board Vote; March 10, 2021	March 10, 2021	N/A	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
Policy Update	Board of Directors	Board Vote, June 22, 2022	June 22, 2022	June 2023	Revised to specify that USOPC task force and hearing panel members are subject to the policy; updated disclosure language to reflect new automated process
Policy Update	Board of Directors	Board Vote, December 6, 2022	December 7, 2022	December 2023	Increased gift limits, included additional rules specific to donors and the Development team, and updated references to Director of Ethics to Chief Ethics and Compliance Officer or a designee from the Ethics and Compliance team.