



## WHISTLEBLOWER AND ANTI-RETALIATION POLICY

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**Covered Individuals:** This Policy applies to all USATKD members, athletes, employees, officers, members of the Board of Directors, Committee and Task Force Members, members of Hearing Panels, volunteers, and contractors who have been required to adhere to this Policy through their written contracts with USTKD (“Covered Individual”). In addition, this Policy applies and protects any good faith reporter of alleged misconduct and any person who participates or is involved in the investigation or adjudication of claims of misconduct (“Covered Third-Persons”)

**General Statement:** The USATKD’s Code of Conduct and Principles of Ethical Behavior (“Code”) requires all participants in USATKD activities to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As members of USATKD, we all must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. Specifically, the Code requires compliance with the Ted Stevens Olympic and Amateur Sports Act, the USOPC Bylaws, all USATKD policies and procedures, and state and federal laws.

**Reporting Rights and Protections:** It is the right of all Covered Individuals and Covered Third-Persons to avail themselves of the protection of the Code and to report violations or suspected violations in accordance with this Whistleblower Policy. For purposes of this Policy, “violations” includes violations of:

- A. USATKD’s Bylaws and policies
- B. The Ted Stevens Olympic and Amateur Sports Act
- C. USOPC Bylaws and policies
- D. Applicable state and federal laws

No individual who in good faith reports a violation of the Code or who is protected by the policies listed (including individuals who participate in investigations) shall suffer harassment, retaliation or adverse membership consequences. “Retaliation” as used in this policy means any adverse or discriminatory action, or the threat of an adverse or discriminatory action, including removal from a training facility, reduced coaching or training, reduced meals or housing, and removal from competition, carried out against a protected individual as a result of any communication, including the filing of a formal complaint, by the protected individual or a parent or legal guardian of the protected individual relating to the allegation of physical abuse, sexual harassment, or emotional

abuse, with (A) the Center; (B) a coach, trainer, manager, administrator, or official associated with the corporation; (C) the Attorney General; (D) a Federal or State law enforcement authority; (E) the Equal Employment Opportunity Commission; or (F) Congress.

Retaliation may be present even where there is a finding that no violation occurred, but “retaliation” does not include good-faith actions lawfully pursued in response to a report of a violation. In addition, no Covered Individual nor the NGB itself shall take or threaten to take any action against an athlete as a reprisal for disclosing information to or seeking assistance from the Office of the Athlete Ombuds as outlined in the Ted Stevens Act, Section 220509(b)(5). For purposes of this Policy, a report is made in good faith when the individual making the report has an honest belief that the misconduct being reported has occurred and is a violation (or may be a violation) of the applicable rules. A person who makes a report that is not in good faith, including a report that is knowingly false, violates this policy and may be subject to sanctions hereunder.

An individual who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of membership. This Whistleblower Policy is intended to encourage and enable members and others to raise serious concerns within USATKD prior to seeking resolution outside the organization.

**Enforcement:** The Ethics Committee is responsible for investigating and resolving all reported complaints and allegations concerning violations of this Policy. Complaints or information concerning violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation. The investigation and corrective action (if any) will be undertaken and imposed by disinterested persons.

Violations of this Whistleblower and Anti-Retaliation Policy should be reported to the Chair of the USATKD Ethics Committee and will be managed as violations of USATT’s Codes of Conduct and shall be subject to USATT’s General Code of Conduct Principles. The current Chair of the USATKD Ethics Committee is The Hon. Jamie Klein (Ret.) and he can be reached at [jamieklein44@gmail.com](mailto:jamieklein44@gmail.com).

**Enforcement with Respect to Employees:** if the NGB finds an employee has retaliated against a Protected Individual, that person will be immediately terminated or suspended without pay pursuant to the requirements of the Ted Stevens Act.