

## **USA Diving Whistleblower and Anti-Retaliation Policy**

### **Overview**

USA Diving Inc (USAD) developed this policy to encourage directors, officers, employees, contractors, volunteers, and other individuals who are associated with the organization to raise ethical and legal concerns. As individuals associated with USAD, we must comply with the Code of Conduct and practice honesty and integrity in fulfilling our responsibilities to our athletes, professionals, and clubs.

### **Why is this important?**

Each of us has a responsibility to raise concerns about ethical and legal issues that might affect USAD or its athletes and members. Issues and problems cannot be addressed if we do not know about them. By bringing a concern to our attention, we can investigate and address the potential issue before it is too late. Remaining silent, however, may erode the trust that everyone – both those associated with USAD and the public – has in the organization.

### **What is required of me?**

Every individual associated with USAD, including but not limited to athletes, directors, officers, employees, members, committee members, task force members, hearing panel members, contractors, and volunteers, must report a violation or suspected violation of:

- USAD's Code of Conduct
- USAD's SafeSport obligations
- Any law or regulation that applies to USAD
- USAD bylaws, policies, and procedures
- United States Olympic & Paralympic Committee (USOPC) Bylaws and policies
- The Ted Stevens Act
- Moral or ethical standards that affect the organization, its people, or its athletes
- Accounting or financial fraud or malfeasance

If you are ever in doubt about whether you should report something or not, it is always better to bring your concern to our attention. Please note that this policy does not cover complaints about employment, including complaints about suspected harassment or discrimination in employment. Employment complaints should be addressed through the procedures outlined in the Employee Handbook. Additionally, reports of violations or suspected violations of [USAD's Athlete Safety Policy](#) must be reported as stated in that policy. This policy does not replace or change an individual's obligation under the SafeSport Code.

## **How do I report?**

USAD has an open-door policy and encourages employees and other individuals to share their good faith questions, concerns, suggestions, or complaints with the President. Members of management must report suspected violations to the Chair of the Ethics Committee, who will coordinate an investigation of the suspected violation.

A person acts in “good faith” when he or she has reasonable grounds to believe the information disclosed indicates a violation, legal, or ethical concern. Reports may be made in good faith even if they are ultimately not substantiated. Any person who acts maliciously, makes a report that is knowingly false, or otherwise acts without good faith will be appropriately disciplined, up to and including termination of employment or other relationship with USAD.

## **What happens when I report?**

The Chair of the Ethics Committee will promptly refer matter to the Ethics Committee for investigation and resolution. The person or persons who are accused of a violation will be notified of the report, although USAD will make all reasonable efforts to not disclose the identity of the reporting person unless necessary (see below). The Ethics Committee will determine whether a violation occurred. An athlete representative will be included in resolution process when necessary to resolve the matter. An investigation into and a decision on the alleged violation will be conducted by disinterested parties. The Chair of the Ethics Committee will inform both the individual who made the report and the accused of the result of the investigation, and will issue appropriate corrective action, if necessary.

## **Confidentiality**

Reports will be kept as confidential as practicable, consistent with the need to conduct an adequate and appropriate investigation. The reporting person can help keep his or her identity and the content of the report confidential by not disclosing or discussing the report with anyone else.

## **No retaliation**

Retaliation means taking 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 the United States Center for SafeSport; a coach, trainer, manager, administrator, or official associated with the USOPC; the United States Attorney General; a federal or state law enforcement authority; the Equal Opportunity Employment Commission; or Congress, as defined in Section 220501(b)(11) of the Act.

Retaliation also refers to any adverse or discriminatory action, or the threat of an adverse or discriminatory action, against any person who in good faith reports misconduct, and/or violations of the USOPC's or NGBs' Bylaws, policies, and procedures. Athletes who disclose information to or seek assistance from the Office of the Athlete Ombuds are also protected from retaliation as set forth in Section 220509(b)(5) of the Act.

USA Diving employees, contractors, agents, and volunteers will not retaliate against any individual who makes a good faith report under this policy nor athletes who disclose information to or seek assistance from the Office of the Athlete Ombuds. Any employee who retaliates is subject to discipline, up to and including termination of employment. USAD will evaluate and possibly terminate its relationship with non-employee who retaliate against an individual who makes a good faith report.

**Individuals with USA Diving who are responsible for enforcing this policy:**

Chair of Ethics Committee – Kristin Roberts  
Email: [usadiving@usadiving.org](mailto:usadiving@usadiving.org)

President of USA Diving – Lee Michaud  
Email: [Lee.Michaud@usadiving.org](mailto:Lee.Michaud@usadiving.org)

**Additional Resources:**

The Office of Athlete Ombuds

Phone: 719-866-5000  
Email: [ombudsman@usaathlete.org](mailto:ombudsman@usaathlete.org)  
Website: [usaathlete.org](http://usaathlete.org)

USOPC Integrity Portal

Website: <https://secure.ethicspoint.com/domain/media/en/gui/53006/index.html>