



GIFTS AND ENTERTAINMENT POLICY

OF

USA Pentathlon INC.

1. Purpose

USA Pentathlon Inc. (dba USA Pentathlon Multisport (USAPM)) is committed to sustaining an ethical workplace free of conflicts of interest and perceived conflicts of interest. USAPM therefore has adopted this Gifts and Entertainment Policy to provide instruction to USAPM employees, board members, officers, committee members, task force members, hearing panel members, volunteers their immediate family members and contractors of USAPM regarding how to handle offers of gifts or other forms of entertainment from individuals or companies that do business with, or are interested in doing business with USAPM. Additionally, it provides instruction on the NGB extending gifts to third parties.

This policy should not be considered in any way as an encouragement to make, solicit or receive any type of gift or entertainment. Indeed USAPM employees, board members, officers, committee members, task force members, hearing panel members, and volunteers may not, under any circumstances, actively solicit any type of gift or entertainment. Further, USAPM will not under any circumstances permit or authorize participation in any business gifts or entertainment that might be considered lavish, inappropriate or illegal.

2. Applicability of Policy

This Gifts and Entertainment Policy is applicable to all USAPM employees, board members, officers, committee members, task force members, hearing panel members, contractors, and volunteers, as well as their spouses and immediate family members ("Affiliated Individuals").

3. Receiving Gifts and Entertainment, Business Courtesies

a. Current Business Partners.

Affiliated Individuals may accept gifts from individuals and companies that

currently do business with, or make donations to USAPM as follows:

- i. Partner/sponsor/supplier products and partner/sponsor/supplier branded products (e.g., logoed jackets) with a value of up to \$1,000 per Affiliated Individual, per year, per individual/company;
 - ii. Other gifts with a value of no more than \$100 per Affiliated Individual, per year, per individual/company;
 - iii. Invitations for the Affiliated Individual to attend sporting events with an individual/company representative including travel to and from such events only to the extent approved in advance by USAPM Audit and Ethics Committee.
 - iv. On an infrequent basis, invitations for a spouse or family member to join the Affiliated Individual at sporting events with an individual/company representative;
 - v. Invitations to attend fundraising events with an individual/company representative at no cost to the Affiliated Individual;
 - vi. 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 Affiliated Individual per event and \$400 total per individual/company per year; and
 - vii. Perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.
- b. Prospective Business Partners**
Affiliated Individuals may accept gifts from individuals and companies that are not current business partners of USAPM but that may or may not be seeking to engage in a business relationship with USAPM as follows:
- i. Gifts with a value of not more than \$100 per Affiliated Individual, per year, per individual/per company;
 - ii. Invitations for the Affiliated Individual to attend sporting events with an individual/company representative (but not travel to and from such events);
 - iii. Invitations to attend fundraising events with an individual/company representative;
 - iv. Invitations to attend other social, educational or entertainment events intended to promote the business relationship provided that the cost of the event does not exceed \$100 per Affiliated Individual, per event and \$200 total per Affiliated Individual, per individual/company, per year.
- c. Limitations**
Affiliated Individuals may never accept cash or financial instruments, such as checks or stocks. Under the guidelines set forth herein, Affiliated Individuals may accept gift certificates or gift cards.

4. Disclosure and Approval

All gifts or invitations falling under Section 3(A)(1), Section 3(A)(3), and Section 3(B)(2) above, and all invitations that involve the third party paying for the Affiliated Individual's travel and/or overnight accommodations, must be promptly reported to the Audit and Ethics Committee and USAPM CEO / Managing Director. Where the gift or invitation is made to the USAPM CEO / Managing Director, the requisite disclosure must be made to the Audit and Ethics Committee. Prior to accepting invitations or gifts that include travel and/or overnight accommodations during business hours, written approval must be

received from the USAPM CEO / Managing Director. In the case of the USAPM CEO / Managing Director request for approval, such approval must be received from the Audit and 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 and in writing by the Audit and Ethics Committee or USAPM CEO / Managing Director as appropriate, before they may be accepted.

In addition, the Audit and Ethics Committee and USAPM CEO / Managing Director may, in consultation with the Affiliated Individual, to require that any gift(s) be returned, donated to USAPM, or donated to another agreed-upon charity if the Audit and Ethics Committee or USAPM CEO / Managing Director believes that such gift(s) is not proper and/or creates an appearance of impropriety.

The Gift Disclosure form is attached.

5. Extending Business Courtesies (Providing Gifts and Entertainment)

General Rules

There may be times when an Affiliated Individual wishes, as a business matter, to extend to a current or potential USAPM CEO / Managing Director 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 in value per person per year, without the prior written approval of the USAPM CEO / Managing Director and/or the Audit and Ethics Committee.

Invitations to events must be reasonable and appropriate. Topics of a business nature must be discussed at the event, and the USAPM employee or Board Member 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 USAPM CEO / Managing Director. Moreover, such business entertainment with respect to any particular individual must be infrequent, which, as a general rule, means not more than four (4) times per year. Frequency beyond the foregoing must be pre approved in writing by the USAPM CEO / Managing Director. To the extent the [NGB] employee or Board Member has knowledge of applicable restrictions by a recipient's organization on gifts and entertainment, the USAPM employee or Board Member must undertake best efforts for all business entertainment and gifts to comport with the restrictions imposed by the recipient's organization.

USAPM employees or Board members may give gift certificates within the limits set forth in this policy, but may never give cash or financial instruments, such as checks or stocks.

a. Development Division/Staff

USAPM recognizes that the limits set forth in Section 5 may hamper the ability of the Development Division/Development Staff to perform their job functions. In light of this, the foregoing limits will not apply to the Development Division/Development Staff 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/Development Staff only, the cost of gifts and events for which no prior written approval is required is \$600 per person per year. To the extent any gift or invitation exceeds that limitation, the USAPM Development employees/staff must obtain the prior written approval from the USAPM CEO / Managing Director.

b. Government Employees

The giving of gifts to federal, state, and local government employees is governed by a complex set of rules that is typically agency-specific. Generally, the giving of gifts to government employees is very limited or prohibited. Before offering a gift to a government employee, of any value, you must receive the approval of the USAPM CEO / Managing Director in advance and in writing.

c. Disclosure And Approval

All gifts or invitations offered by an Affiliated Individual must be covered by the appropriate USAPM budget and must be approved in advance by the appropriate USAPM supervisor. All gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance and in writing by, the USAPM CEO / Managing Director before they may be offered.

d. USAPM Point of Contact

Affiliated persons in need of further information or guidance in relation to this policy should contact the USAPM CEO / Managing Director, who is responsible for this policy and its enforcement.

Kevin Montford

kmonford@usapentathlon.org

Reports can also be made to athletesafety@usapentathlon.org.

USAPM GIFT DISCLOSURE FORM

Please complete this form immediately upon receipt of personal gifts¹ received in your capacity as an employee or representative of USAPM.

Name: _____

- ☐ USAPM Employee ☐ USAPM Board ☐ Member ☐ USAPM Volunteer
- ☐ USAPM Committee Member ☐ Hearing Panel Member
- ☐ USAPM Task Force Member ☐ Athlete Representative
- ☐ Contractor
- ☐ Other (please specify): _____ 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 USAPM and under what circumstances it was received:

- ☐ Current business partner:

- ☐ Prospective business partner:

- ☐ Other:

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

¹ USAPM defines personal gifts as items of value provided by individuals and/or organizations with present or prospective business relationships with USAPM. Excluded from disclosure are promotional gifts of nominal value (less than \$50 retail value) such as coffee mugs, hats, pins, etc.

Certification: I certify that this gift was not solicited.

SIGNATURE: _____

DATE: _____

Send this completed form to: USAPM CEO / Managing Director

Kevin Montford

kmontford@usapentathlon.org

CEO USAPM