

## US Speedskating Whistle-Blower Policy

### PURPOSE:

The Whistle-Blower Policy (the “Policy”) is intended to support a culture of integrity and ethical conduct at US Speedskating (“USS”) by encouraging, valuing, and protecting good faith reporting. This Policy applies to athletes, board of directors, officers, members, employees, committee members, task force members, hearing panel members, contractors, and volunteers (“Affiliated Individuals”) of US Speedskating of any alleged violation of any applicable law or policy or any potential ethics issue. This Policy also applies to any good faith reporter or other reasonable party, which may include but is not limited to, witnesses and victims.

The freedom to speak up means being able to raise concerns in whatever way is most comfortable and effective and feeling free to cooperate in investigations that follow. USS has a zero tolerance for retaliation of any kind against people who speak up in good faith.

### POLICY:

USS will investigate any possible fraudulent or dishonest use or misuse of USS resources or property by management, staff, volunteers, or members. Anyone found to have engaged in a fraudulent or dishonest conduct is subject to disciplinary action by USS.

This Policy is for use where there may be a violation of:

- Any applicable State and/or Federal laws, rules, and regulations
- The Ted Stevens Olympic and Amateur Sport Act
- USOPC Bylaws and policies
- Any USS bylaws, policies, and procedures including the USS ethics Policy
- Principles of ethics
- Accounting or financial practices (e.g., fraud)

If an Affiliated Individual is unsure about whether a matter might be a policy violation or is unsure about their reporting responsibility for a matter, please start by reviewing the policy involved.

Some violations *must* be reported. Affiliated Individuals should be familiar with the requirements in the SafeSport policy, USS Code of Ethic, and the USS Code of Conduct. USS Code of Conduct violations must be reported. And, if an Affiliated Individual suspects any criminal activity against a person or property, they should report this directly to law enforcement immediately.

**Athlete safety violations must be reported. However, nothing in this Policy changes or replaces any mandatory reporting obligations under the Safe Sport Code for the Olympic and Paralympic Movements. Contact USS Director of Finance and Administration Michael Burdekin, if you have any questions about those obligations.**

## **REPORTING PROCEDURE:**

### No Retaliation

USS defines retaliation in accordance with the Ted Stevens Olympic and Amateur Sport Act”

“Retaliation” 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 form, 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 emotion abuse, with –

- A. a coach, trainer, manager, administrator, or official associated with the corporation;
- B. a Federal or State law enforcement authority;
- C. the Equal Employment Opportunity Commission; or
- D. Congress

USS has zero tolerance for retaliation against people who make good faith reports of potential ethical, policy, financial, or legal violations, or who cooperate with investigation of those reports. No Affiliated Individual may threaten, harass, discriminate against, or take any negative employment or participation in related action.

USS prohibits retaliation against “whistleblowers” and other protected individuals. No employee, contractor, volunteer, or Board Member 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 §220509(b)(5) of the Ted Stevens Olympic and Amateur Sport Act.

Any retaliation can be reported in the same way as any other policy violation. It will be treated as a violation of this Policy and USS’s Code of Conduct and may lead to serious consequences including termination of employment or participation for anyone involved in retaliation.

### How to Report

All members of the USS community are encouraged to report possible fraudulent or dishonest conduct. Affiliated Individuals may always report to the Executive Director; the Chair of the Ethics Committee; the President; the Vice President; or any Elite Athlete Director. These are all people who can also discuss the concern and help make sure it is addressed. The report should be addressed to two individuals.

Contact information for these individuals can be found here: <https://www.usspeedskating.org/governance/uss-workgroups>

As a reporter, Affiliated Individuals do not need to (and should not) investigate the matter of concern or determine fault or how to fix it. The Affiliated Individual does their part by making it known so the right people can act. Investigations or of reports are discussed below.

A claim may be dismissed without a full investigation for various reasons, which includes, but is not limited to, insufficient evidence, or reporting parties failure to participate.

### **Acting in Good Faith**

Just as we need to make sure that no one in our community is fearful of speaking up, we also need to make sure that no one in their community is fearful about false reports that might harm them. Anyone reporting a perceived ethical, policy, financial, or legal violation must be acting in good faith and have some basis for believing there may be a violation. Anyone that makes a false report knowing that it is false or that it has no basis is violating this Policy and the USS Code of Conduct in the same way as someone retaliating against a good faith reporter. Such a violation may itself be reported under this Policy and it may lead to serious consequences, including termination of employment or participation

### **INVESTIGATION:**

Once a report is made in one of the ways described above, the person receiving the report is responsible for getting it to the person who can best address the concern, based on the matter reported and in keeping with other appropriate policies. In all cases, USS is committed to ensuring that no good faith report goes unheard or ignored

The USS Membership Manager is responsible for coordinating among these people so that reporters can be confident that reported concerns get to the people best positioned to act on them.

So long as a conflict of interest does not exist, US Speedskating's **Executive Director** (or their designee) will investigate complaints of alleged violations under this Policy and make determinations on alleged violations, including any applicable athlete involvement. If the investigators have a conflict of interest upon initial review, USS will use an outside, third-party professional who is non-conflicted to investigate the complaint. If upon investigation, USS finds that an employee has retaliated against a protected individual, that person will be immediately terminated or suspended without pay as required by §220509(c)(2) of the Ted Stevens Olympic Amateur Sport Act.

If it is found that a violation has occurred, there will be proper disciplinary measures undertaken on a complaint-by-complaint basis, and those measures will be promptly communicated and enforced, pursuant to USS's policies and procedures and applicable law.

## **CONFIDENTIALITY**

In many cases, a reported matter will need investigation to reach the right resolution. Cooperation as a report or otherwise may be helpful and much appreciated. Reports will be treated as confidentially as possible; some information may have to be disclosed to certain parties to conduct a thorough investigation, to comply with the law, and to provide accused individuals access to due process.

If a matter is reported anonymously and the reporter chooses to remain anonymous as it is investigated, USS will respect that to the best of its ability.

## **CONTACT INFORMATION**

Contact information for individuals who are responsible for this Policy and enforcement of this Policy can be found here: <https://www.usspeedskating.org/governance/uss-workgroups>

Office of the Athlete Ombuds: [ombuds@usathlete.org](mailto:ombuds@usathlete.org) or 719-866-5000

USOPC Integrity Portal:

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

USOPC Integrity Hotline: 877-404-9935

## **FOLLOW UP**

If an Affiliated Individual reports an alleged violation of ethics, USS policy, or applicable laws, USS will report back to the Affiliated Individual on the progress and investigation results as appropriate. The Affiliated Individual is always free to follow up to learn more from the person they reported to. Confidentiality and legal obligations may affect the details available.

If the investigation of a report that was made in good faith is not to the satisfaction of the reporter, then the reporter may report that, too.

The policy will be posted on the U.S. Speedskating website and reviewed and updated as necessary by the U.S. Speedskating Board of Directors to reflect best practices.

Thank you for helping ensure that USS is a safe zone for speaking up in good faith on important matters.