



WHISTLEBLOWER AND ANTI-RETIALIATION POLICY

Policy Owner: COO, USA Badminton
Effective Date: December 2, 2022

Purpose

This Whistleblower and Anti-Retaliation Policy (the “**Policy**”) is intended to support a strong culture of integrity and ethical conduct within the USA Badminton (“**USAB**”) community by encouraging, valuing, and protecting good faith reporting of any alleged violation of any applicable law, policy, or any potential ethics issue.

USAB has zero tolerance for retaliation of any kind against people who raise concerns in good faith and/or cooperate in a sanctioned investigation. All Protected Individuals, Good Faith Reporters, and other reasonable parties (i.e. witnesses, victims) are protected under this Policy.

Section 1: Application

This Policy, as well as the protection it provides, applies to the following individuals (“Protected Individuals”):

- a) Athletes
- b) Members
- c) Employees
- d) Board of Directors
- e) Officers
- f) Committee Members
- g) Advisory Group Members (i.e. technical officials, junior)
- h) Hearing Panel Members
- i) Volunteers
- j) Contractors (as designated as applicable by USAB)

Section 2: Violations Covered by this Policy

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

- a) the Ted Stevens Olympic and Amateur Sports Act (the “Act”);
- b) USOPC Bylaws, policies and procedures;
- c) USAB’s Bylaws, rules, policies and procedures;
- d) State and federal law, rule and regulations;
- e) U.S. Center for SafeSport policies and procedures (excluding matters under the jurisdiction of the U.S. Center for SafeSport);
- f) USADA policies and procedures;
- g) all applicable accounting and financial practices



If a Protected Individual is unsure about whether a matter might be a policy violation or is unsure about their reporting responsibility for a particular type of matter, please start by reviewing the applicable policy.

*Also, keep in mind that some violations **must** be reported due to the mandatory reporting requirements for USAB Participants consistent with USAB's Safe Sport policies and the U.S. Center for SafeSport's SafeSport Code for the Olympic and Paralympic Movement ("SafeSport Code"). Nothing in this Policy changes or replaces a Participant's mandatory reporting obligations under the SafeSport Code. If you have any questions about these obligations, contact the USAB COO.*

And, of course, if a Protected Individual suspects any criminal activity against a person or property, they should report this directly to law enforcement immediately.

Section 3: Retaliation

3.01. Definition. Consistent with Section 220501(b)(11) of the Act, retaliation includes, but is not limited to, any adverse or discriminatory action, or the threat of an adverse or discriminatory action carried out against a Protected Individual as a result of any communication, including but not limited to, 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 emotional, physical or sexual misconduct or any other alleged Violation covered by this Policy to USAB, the USOPC, the Office of the Athlete Ombuds, the U.S. Center for SafeSport, any law enforcement agency or government entity, or employees of these organizations. Examples of adverse or discriminatory actions that would be considered retaliatory include, but are not limited to, removal from a training facility, reduced coaching or training, reduced meals or housing, or removal from competition.

In addition, no Protected Individual nor the USAB 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. Similarly, no Protected Individual nor the USAB shall retaliate against an employee or contractor with the intent or effect of adversely affecting the terms or conditions of employment or other contractual rights (including, but not limited to, threats of physical harm, loss of job, punitive work assignments, impact on salary or wages, or impact on contractual payments).

3.02. No Retaliation.

USAB has zero tolerance for retaliation against a Whistleblower or any Protected Individual who makes a good faith report or cooperates with investigations of alleged Violations. The USAB community has the right to report alleged Violations and USAB encourages the reporting of such allegations. USAB has an open-door policy and encourages Protected Individuals to share questions, concerns, and/or suggestions.

Section 4: Reporting an Alleged or Suspected Violation



4.01. Reporting.

The USAB community has the right to report alleged Violations covered by this Policy and USAB encourages the reporting of such allegations.

- a) **Process to Report.** Suspected violations shall be considered an Administrative Grievance and reported via the Notice of Grievance Form to both the Chair of the Ethics/Judicial Committee (ethicschair@usabadminton.org) and the USAB COO (coo@usabadminton.org) consistent with USAB Grievance Procedures. Should the allegation be against the Chair of the Ethics/Judicial Committee, the USAB COO or the USAB CEO, the Notice of Grievance Form may be submitted directly to the USAB Board Chair (boardchair@usabadminton.org).

Please remember that as a reporter, Protected Individuals do not need to (and should not) investigate the matter of concern or determine fault or how to fix it. The Protected Individual does their part by making the concern known so the right people can take action.

- b) **Erroneous Reporting.** Should an individual incorrectly report a possible Violation to a Protected Individual, all Protected Individuals are **strongly encouraged** to report the Violation. However, it is a requirement of USAB Employees, Board of Directors, Officers, and Committee Members to forward any report of a potential Violation which may be erroneously reported directly to them.
- c) **Applicable Policy Exception.** The Ethics/Judicial Committee Chair and USAB COO may redirect a report, if, based on the matter reported, it is more appropriate to be addressed under a more applicable policy.

4.02. Acting in Good Faith

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 report knowing that it is false or has no basis is violating this Policy and the USAB 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.

4.03. Confidentiality

In many cases, a reported matter will need investigation in order to reach the right resolution. Cooperation as a reporter or otherwise may be very helpful and much appreciated. Reports will be treated as confidentially as possible. However, disclosure of an individual's identity or identifying information may be required in some situations, such as in order to conduct a thorough investigation, to comply with laws or rules, provide accused individual's fair process, and where USAB is required by law to report a matter to law enforcement.

If a matter is reported anonymously and the reporter chooses to remain anonymous as it is investigated, USAB will respect that.



Section 5: Investigation, Resolution and Enforcement

- a) **Obligation.** USAB takes its obligation to investigate, resolve, and enforce potential violations of this Policy seriously. Alleged violations reported to USAB will be resolved pursuant to the USAB Grievance Procedures. Violations may lead to serious consequences, including, but not limited to, termination of employment or participation.
- b) **Whistleblower Protection.** Whistleblowers who believe they have been retaliated against may file a written complaint with the Chair of the Ethics Committee at ethicschair@usabadminton.org.
- c) **Retaliation Remedy.** A proven complaint of retaliation shall result in a proper remedy for the individual harmed and the initiation of disciplinary action against the retaliating individual, up to and including dismissal or removal from membership. This protection from retaliation is not intended to prohibit the Board of Directors, CEO, or managers/supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.
- d) **Employment Suspension/Termination.** As required by Section 220509(c)(2) of the Act, if it is found that a USAB Employee has retaliated against a Protected Individual (or their parent / legal guardian), the employee will be immediately terminated or suspended without pay. This action shall be warranted upon a final determination of retaliation.
- e) **Disinterested Parties.** All investigative, resolution and enforcement activities will be executed by individuals who are unbiased, impartial, and free from prejudice and conflict of interests.

Section 6: Points of Contact.

Individuals in need of further information, guidance and/or enforcement in relation to this Policy may contact the following:

Chair, Ethics/Judicial Committee
COO

Email: ethicschair@usabadminton.org
Email: coo@usabadminton.org

Individuals may also refer to <https://usabadminton.org/about/governance/policies-procedures/>.

The USOPC Ethics & Compliance team can serve as a secondary resource for questions or concerns regarding this Policy. The USOPC Ethics & Compliance team may be contacted at:

Integrity Hotline: 877.404.9935
Integrity Portal: <https://usopc.ethicspoint.com>

For Athletes with Questions Regarding this Policy:

The Athlete Ombuds provides cost-free, independent, and confidential advice regarding athlete rights, resolving disputes or grievances; and any sport rule, policy, or process, including NGB-athlete agreements, codes of conduct, or team selection procedures. The Athlete



Ombuds can also help athletes connect with legal counsel or mental health resources if needed. Athlete may contact the Athlete Ombuds at:

PHONE: (719) 866-5000

EMAIL: ombudsman@usathlete.org

WEBSITE: www.usathlete.org