



## **UNITED STATES SAILING ASSOCIATION STATEMENT OF ETHICS AND CODE OF CONDUCT**

### **SECTION 1. STATEMENT OF ETHICS**

US Sailing promotes a culture of ethical conduct within its organization and throughout its membership and is committed to fostering an atmosphere of respect, integrity, honesty, competence, accountability, and teamwork. US Sailing also embraces diversity, equity, inclusion, and access in all aspects of US Sailing activities and respects others without regard to race, ethnicity, color, religion, national origin, sex, gender identity, sexual orientation, veteran status, or disability.

This Statement of Ethics and Code of Conduct Policy is intended to reflect US Sailing's organizational values and set the standard of conduct that is expected of all its Affiliated Individuals as defined herein.

### **SECTION 2. CODE OF CONDUCT**

#### **A. APPLICABILITY**

- 1.** This Code of Conduct shall apply to the following Affiliated Individuals:
  - i.** US Sailing Board of Directors and officers
  - ii.** US Sailing employees
  - iii.** US Sailing Committee Members
  - iv.** US Sailing Members
  - v.** Where reasonable, contractors shall be required to comply with this Policy through their written contracts.

#### **B. US SAILING EXPECTATIONS OF CONDUCT**

Participation as an Affiliated Individual with US Sailing is a privilege, not a right. This Code of Conduct prescribes the conduct expected of all Affiliated Individuals. Adherence to this Code of Conduct is crucial to US Sailing's fulfilment of its goals and mission. Violation of any provision of this Code of Conduct may result in the imposition of sanctions, including the temporary or permanent suspension of an Affiliated Individual's position or membership with US Sailing.

This Code of Conduct applies to Affiliated Individuals in addition to, and not in lieu of, any other restrictions on the conduct of an Affiliated Individual including, without limitation, the Ted Stevens Olympic and Amateur Sports Act ("Ted Stevens Act"), US Sailing's employment practices (as to US Sailing employees, contractors, and volunteers only), the U.S. Center for SafeSport Code ("SafeSport Code"), United States Olympic and Paralympic

Committee (“USOPC”) bylaws, policies, and procedures, and any applicable federal, state or local law or ordinance.

All Affiliated Individuals are expected to adhere to the following:

**1. U.S. Center for SafeSport (the “Center”) Rules and Policies**

- i. Affiliated Individuals are considered to be Participants under the SafeSport Code and are required to comply with the SafeSport Code, as it may be amended from time to time. Violation of the SafeSport Code constitutes a violation of this Code of Conduct that may be sanctioned by US Sailing in the event that the Center declines to exercise jurisdiction over any alleged SafeSport Code violation. A copy of the current version of the SafeSport Code can be found [here](#) and is incorporated herein by this reference as though set forth in full. In the event that the Center determines that an Affiliated Individual has engaged in prohibited conduct, US Sailing will enforce to its fullest extent any sanction that the Center may impose.
- ii. No individual who is an employee, member, or contractor of US Sailing may assist a member or former member of US Sailing in obtaining a new job (excluding the routine transmission of administrative or personnel files) if the individual knows that the member or former member
  - 1. violated the Center’s policies or procedures related to sexual misconduct; and/or
  - 2. was convicted of a crime involving sexual misconduct with a minor in violation of applicable law or the Center’s policies and procedures.

**2. US Sailing Athlete Safety Policies**

- i. Affiliated Individuals shall comply with all provisions of US Sailing’s Athlete Safety Handbook, including the Minor Athlete Abuse Prevention Policies. Violation of those policies constitutes a violation of this Code of Conduct that may be sanctioned by US Sailing.

**3. Discrimination, Harassment, or Abusive Conduct; Zero Tolerance Policy**

- i. US Sailing has a zero tolerance policy for
  - 1. any discrimination, harassment, or abusive conduct by an Affiliated Individual on the basis of race, color, sex, religion, age, disability, national origin, ancestry, assigned gender, gender identity, gender expression, or sexual orientation (collectively, “Protected Characteristics”). Prohibited conduct includes, but is not limited to:
    - a. Use of derogatory verbal or written language, social media comments, remarks, insults, epithets, nicknames, writings, labels, jokes, taunts, cartoons, pictures, or drawings based upon, or making reference to, a Protected Characteristic. For the avoidance of

doubt, the determination of whether any of the foregoing is deemed to be derogatory is based upon the perspective of a reasonable person who is a member of, or identifies with, the class of persons having the Protected Characteristic in question.

- b. Any adverse action taken against an individual based upon, or making reference to, a Protected Characteristic.
    - c. Physical conduct with respect to an individual resulting from that individual's Protected Characteristic.
  - 2. Any other harassment or abusive behavior by an Affiliated Individual directed towards another Affiliated Individual or other person in the course of their sailing activities.
- 4. **Retaliation.** Affiliated Individuals are prohibited from retaliating against individuals who:
  - i. report alleged Code of Conduct violations,
  - ii. provide support to individuals who are the subject of alleged Code of Conduct violations, or
  - iii. serve on US Sailing hearing panels regarding alleged Code of Conduct violations.
- 5. **Anti-Doping.**
  - i. It is the duty of individual members of the US Sailing to comply with all applicable anti-doping rules of the World Anti-Doping Agency (WADA), World Sailing, the USOPC including the USOPC National Anti-Doping Policy, and of the U.S. Anti-Doping Agency (USADA), including the USADA Protocol for Olympic and Paralympic Movement Testing (USADA Protocol) and all other policies and rules adopted by WADA, World Sailing, the USOPC and USADA. Athlete members agree to submit to drug testing by World Sailing and/or USADA or their designees at any time and understand that the use of methods or substances prohibited by the applicable anti-doping rules make them subject to penalties including, but not limited to, disqualification and suspension. If it is determined that an individual member may have committed a doping violation, the member agrees to submit to the results management authority and processes of USADA, including arbitration under the USADA Protocol, or to the results management authority of World Sailing, if applicable or referred by USADA.
- 6. **Promotion of a Safe, Positive and Healthy Environment for All.** Affiliated Individuals have an ongoing obligation and commitment to ensure a safe and healthy environment for all sailors, instructors, race officials, and volunteers. Consistent with this obligation, Affiliated Individuals must:
  - i. Make decisions in the best interest of athletes.

- ii. Maintain a safe training and competing environment.
  - iii. Promote a culture of trust and empowerment.
  - iv. Respect the fundamental rights, dignity, and worth of all participants.

7. **Commitment to Ethical Conduct and Integrity.** Affiliated Individuals have a responsibility to uphold the integrity of the sport and to act honestly, openly, fairly, and competently. Affiliated Individuals must:
  - i. Be knowledgeable of, understand, and follow US Sailing rules and policies, and refrain from knowingly misrepresenting or misinterpreting such.
  - ii. Where applicable, respect and adhere to the Racing Rules of Sailing.
  - iii. Where applicable, adhere to the Olympic Movement Code on the Prevention of the Manipulation of Competitions and the International Paralympic Code of Ethics.
  - iv. Conduct themselves at all times and in all places in a manner that befits worthy representation of US Sailing.
  - v. Maintain high standards of moral and ethical conduct, which includes self-control and responsible behavior, consideration for the physical and emotional well-being of others, and courtesy and good manners.
  - vi. Promote fair play.
  - vii. Maintain respect for competition and refrain from intimidating, embarrassing or improperly influencing any individual responsible for participating in, judging, or administering a competition.
  - viii. Make honest certifications regarding compliance with US Sailing policies, procedures, or membership requirements.
  - ix. Refrain from using obscene language or gestures, or other defamatory, demeaning, or threatening language (whether written or oral) or conduct directed towards any person.
  - x. Refrain from any other material and intentional wrongful act, conduct, or failure to act not provided for above, which is detrimental to the image or reputation of US Sailing.

8. **Participation and Inclusion.** Affiliated Individuals must promote an environment of inclusion and non-discrimination and shall not restrict the ability of any person to qualify for or participate in competition because of the person's race, sex, creed, sexual orientation, gender identity, age, national origin, mental or physical disability, or any other basis proscribed by law.

9. **Legal Compliance.**

- i. US Sailing requires Affiliated Individuals to adhere to:
  1. This Code of Conduct and all applicable US Sailing policies and procedures.
  2. United States federal, state, and local law as applicable including the Ted Stevens Olympic and Amateur Sports Act, codified at 36 U.S.C. §§ 22501 – 22529, and foreign law as applicable.
  3. All applicable USOPC Bylaws, policies, and procedures.

## C. REPORTING OBLIGATIONS

No code of conduct can address every situation, nor can it take the place of good judgment and integrity. US Sailing maintains an open door for anyone who has questions or concerns about this Code of Conduct or the actions of an Affiliated Individual. US Sailing will support all efforts to comply with this Code of Conduct and any questions.

Affiliated Individuals have a responsibility to report violations of this Code of Conduct. Please refer to US Sailing's Whistleblower and Anti-Retaliation Policy for direction on how to report violations of this Code of Conduct. If you need advice or assistance concerning the application of any aspect of these standards, please consult US Sailing's Staff Counsel and Compliance Manager listed under Section 2.E. herein.

Under no circumstances will an individual be subject to any disciplinary or retaliatory action for filing, in good faith, a report of a violation or potential violation of the Code of Conduct. However, filing known false or malicious reports will not be tolerated, and anyone filing such reports will be subject to appropriate disciplinary action. "Retaliation" as defined by the Ted Stevens Act means any adverse or discriminatory action, or 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 relating to the allegation of physical abuse, sexual harassment, or emotional abuse, with the Center; 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. 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 22509(b)(5) of the Act.

Please review US Sailing's full [Whistleblower and Anti-Retaliation Policy](#).

## D. RESOLUTION OF CODE VIOLATIONS

The process for resolving potential Code of Conduct violations can be found in Section 15 of the US Sailing Regulations.

## E. POLICY OWNER

US Sailing Staff Counsel and Compliance Manager, Justin Sterk ([justinsterk@ussailing.org](mailto:justinsterk@ussailing.org)) can be contacted with any questions about this policy.

## F. RESOURCES

1. **Athlete Ombuds.** The Office of the Athlete Ombuds and its staff (the

Athlete Ombuds) offers independent, confidential advice to athletes regarding their rights and responsibilities in the Olympic and Paralympic Movement, and assists athletes with a broad range of questions, disputes, complaints, and concerns. The Athlete Ombuds' focus is to serve athletes who represent the U.S. in international competition. The Athlete Ombuds operates on the core principles of confidentiality and privacy, independence, and impartiality.

Additional information about, and contact information for, the Athlete Ombuds can be found online at <https://www.teamusa.org/athlete-ombuds>.

2. **USOPC Chief Ethics and Compliance Officer.** The USOPC promotes a culture of ethics and compliance within the USOPC, among NGBs, and among individuals and entities that engage with the USOPC and NGBs. In keeping with this culture, the USOPC's Ethics and Compliance team is responsible for ensuring the USOPC and NGBs comply with the Ted Stevens Olympic and Amateur Sports Act, their own bylaws and policies, and any other applicable laws or regulations.

Additional information about, and contact information for, the USOPC Chief Ethics and Compliance Officer can be found online at <https://www.teamusa.org/ethics-and-compliance>.