

# **USA WATER SKI**

## **Code of Ethics**

**Date: January 27, 2008**

***Approved Changes: January 25, 2009***

## **Introduction**

The purpose of this Code of Ethics is to gather in one place the rules that will govern the conduct of USA Water Ski (USAWS) volunteers and employees. It supercedes all prior and existing rules that are applicable to volunteers and employees.

Definitions:

Volunteer: For this purpose, the term “volunteer” includes USAWS officers and board of directors and the officers and board of directors of its sports disciplines.

Because we operate in the public spotlight, we are expected to conduct our business on a basis consistent with the great trust that has been placed in us. This requires our behavior to conform to the highest ethical principles. The Code of Ethics should be distributed to and understood by every USAWS employee and volunteer. Please remember that the Code of Ethics establishes minimum standards of acceptable conduct. If you have any questions or are uncertain about what is required, it is incumbent upon you to seek clarification from the Ethics Committee chairman.

*The Vice President of USAWS shall serve as Chair of the Ethics committee.*

## **General Statement**

Each volunteer and employee of USAWS shall act in an honest and ethical manner. Because the appearance of impropriety can be just as damaging as actual impropriety, conduct which appears to be improper is also unacceptable. No assets of USAWS may be used for any unlawful purpose, and no employee or volunteer of USAWS may engage in criminal conduct.

## **Fiduciary Duties**

Each director, officer, and committee member shall discharge his or her duties (a) in good faith, (b) with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and (c) in a manner that the director, officer, or committee member reasonably believes to be in the best interests of USAWS.

Notwithstanding the foregoing, no person shall be personally liable to USAWS for monetary damages for breach of fiduciary duty unless such damages result from (a) a breach of loyalty, (b) acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law, or (c) transactions from which the director, officer, or committee member directly or indirectly derives an improper personal benefit.

## **Conflicts of Interest**

USAWS volunteers and employees must be free from any influence which might interfere with the proper and efficient discharge of their duties, or which might be

inconsistent with their duties to USAWS. It is also the duty of USAWS employees and volunteers not to use their position with USAWS for personal advantage or gain. To that end:

- A USAWS volunteer or employee shall not accept monetary compensation other than normal salaries and business expense reimbursement for services within the scope of their duties to USAWS. In addition, no USAWS volunteer or employee shall accept honoraria for speaking engagements where the subject of the discussion relates to activities of USAWS or sports divisions, except for athletes, coaches or instructors speaking on their competitive experiences or in coaching/training sessions. It is normal and acceptable for a volunteer or employee to be provided meals, lodging, and event clothing when acting in an official capacity at a USAWS sanctioned event. It is also normal and expected that members and staff of a competition team representing a USAWS sports division will be provided travel expenses and clothing. It is expected that exceptions to this rule will be made where no actual or perceived conflict of interest exists. USAWS volunteers and employees shall submit requests for exceptions to the Chairman of the Ethics Committee.
- No USAWS volunteer or employee shall engage in outside activities that are in clear and direct conflict with the interests of the USAWS.
- USAWS volunteers or employees shall attempt to remain free from obligations to, or relationships with, any person or concern where a perception of influence could exist. Where a USAWS volunteer or employee has such an obligation or relationship, he or she shall disclose it to the Ethics Committee Chairman, who acting with the committee shall have the authority to approve the obligation or relationship. The Ethics Committee could request the individual to:
  1. Excuse himself or herself from any formal or informal discussions related to the relationship between the USAWS and the person or concern; and
  2. Abstain from voting and from seeking to influence the vote on any matter related to the person or concern.
- USAWS volunteers and employees shall not use USAWS assets, intellectual property, or confidential information for personal gain.

## Gifts

- Except as permitted herein, no USAWS volunteer or employee shall accept any gift as a result of their position, including travel and entertainment. The gift policy will also apply to the purchase of goods and services at a price less than would be available to them if it were not for their position with USAWS.
- Gifts which the recipient reasonably and in good faith believes to have a value of less than \$100, and provided that the cumulative value of gifts from one source in any calendar year does not exceed \$200, may be accepted. In no event, however, may any such gift influence or appear to influence the recipient in the discharge of his or her official duties. No gift with a value of less than \$50 will count toward the \$200 annual limit.
- The following gifts shall be permitted;
  1. Gifts from relatives.
  2. Gifts from personal friends, unless the gift is provided because of a USAWS affiliation.
  3. Gifts from USAWS.
  4. Gifts provided as a result of the recipient's outside business or employment activities.
  5. Awards or prizes given to competitors in contests or events open to the public.
  6. Honorary degrees and other bona fide, non-monetary awards presented in recognition of service.
  7. Gifts of personal hospitality.
  8. Commemorative plaques or trophies.
  9. Food or refreshments offered as a part of a meal.
  10. Hospitality (e.g., tours, event tickets, meals) provided to groups in conjunction with USAWS board and committee meetings.
- Any gift with a value in excess of \$100 or \$200 cumulative must be disclosed to the Chairman of the Ethics Committee no later than thirty (30) days after received unless it is exempt by virtue of one of the exceptions listed above.

- Questions regarding the application of the gift policy will be addressed by the Ethics Committee. The Committee will have the authority to waive the application of the gift policy on a case-by-case basis, if no actual or perceived conflict of interest exists.
- Care must also be taken not to influence, or appear to influence, the decision-making processes of third parties through gift giving. To that end, the same restrictions that apply to the receipt of gifts shall apply to the delivery of gifts to third parties.

### **Human Rights**

USAWS respects the dignity, rights and aspirations of each employee and volunteer. USAWS embraces the principles of federal, state and local human rights legislation that prohibits discrimination and harassment based on any of the following grounds: race, sexual orientation, civil status, veteran status, marital status, religion, age, language, social condition or physical or mental disability. Therefore, USAWS is committed to provide an environment free from discrimination and harassment.

Every volunteer and employee has a responsibility for maintaining and promoting acceptable standards of behavior in order to ensure that all have the opportunity to conduct business and compete in an environment free from discrimination and harassment.

### **Enforcement**

All USAWS volunteers and employees are expected to use good judgment and abide by this Code of Ethics. Any violation may expose the volunteer or employee, and the USAWS, to civil and criminal liability and may harm our reputation and, therefore, our ability to raise funds in support of our mission.

Anyone who violates the Code of Ethics is subject to disciplinary measures, which may include termination of employment, suspension, or expulsion from USAWS. Disciplinary measures may also be taken with respect to senior staff who condone improper conduct by their associates or who do not take measure to correct problems that are brought to their attention. ***Violations of the Code of Ethics shall be brought to the attention of either the President of USAWS, the Chairman of the Ethics Committee or the Executive Director of USAWS.*** The Ethics Committee shall review all violations of the Code of Ethics and, if appropriate, recommend sanctions to the Executive Committee (as to volunteers) or the Executive Director (as to staff).

Each employee and volunteer has the obligation not only to abide by the Code of Ethics, but also to report violations of the Code of Ethics when they become aware of them. USAWS will not tolerate any retaliation or threats of retaliation against anyone who, in good faith, reports a violation or suspected infringement.

This policy serves as a framework to guide ethical conduct, but by no means covers every situation. If you are unclear about the requirements of this policy, please consult your supervisor or contact the Chairman of the Ethics Committee. You have a responsibility to ask questions if you have doubts about a situation or proposed course of action.

The following people shall be required to deliver *a biennial* certification to the Executive Assistant of USAWS regarding compliance with the Code of Ethics: (This can be satisfied by an e-mail statement.)

1. USAWS and Sports Disciplines board of directors.
2. Members of the Athletes Advisory Council.
3. Employees of USAWS.