

# UNITED STATES TENNIS ASSOCIATION INCORPORATED (USTA)

## CONFLICT OF INTEREST AND DISCLOSURE POLICY

### 1. Purpose

The United States Tennis Association Incorporated (hereinafter “USTA” and as further defined below) is committed to sustaining an ethical organization free of conflicts of interest and perceived conflicts of interest. Each Affiliated Individual (as defined below) has the responsibility to administer the affairs of USTA honestly and prudently, and to exercise their best care, skill, and judgment for the sole benefit of USTA. Those persons will exercise the utmost good faith in all transactions involved in their duties, and they will not use their positions with USTA or knowledge gained therefrom for their personal benefit. The interests of the organization must be the first priority in all decisions and actions. USTA requires that any of its Affiliated Individuals recognize and attempt to avoid activities or investments that involve, might appear to involve, or could result in a potential conflict of interest.

This policy does not attempt to provide an exhaustive list of every possible circumstance that might give rise to a conflict of interest, but provides examples of situations or “transactions” where potential conflicts of interest often arise. A “transaction” is any contract, transaction, agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a grant or loan, or the establishment of any other financial relationship with USTA.

It is the duty of each Affiliated Individual to become familiar with, and abide by, all USTA Bylaws, rules, regulations, policies, and procedures including, but not limited to this Conflict of Interest and Disclosure Policy and the appended Volunteer Code of Audit and Professional Standards (hereinafter collectively referred to as the “Policy”).

### 2. Applicability of Policy

This Policy is applicable to all Persons, Members, Volunteers, Contractor, Vendors, and Employees (each as defined below and collectively referred to herein as “Affiliated Individuals”). Where reasonable, individuals and entities that are formally engaged in business with USTA may be required to comply with this policy in their contracts.

### 3. Definitions

- a. “USTA” means the USTA family of companies, including United States Tennis Association Incorporated, USTA National Tennis Center Incorporated, USTA Player Development Incorporated, USTA Foundation Incorporated, and USTA Coaching, Inc.
- b. “Board” refers to the Board of Directors of the USTA.
- c. “Chief Audit Officer” refers to the Chief Legal Officer for the USTA. The Chief Audit Officer is available to assist and advise Employees on matters covered by this Policy.
- d. “Chief Ethics Officer” refers to a high-level executive responsible for overseeing USTA’s ethical conduct, compliance programs, and corporate integrity. Their role is crucial in promoting ethical decision-making, preventing misconduct, and ensuring the organization operates with integrity. The Chief Ethics Officer establishes ethical standards, provides guidance on ethical dilemmas, and ensures adherence to legal and regulatory requirements and is available to assist and advise Employees on matters covered by this Policy.
- e. “Contractor” refers to any person or entity that does business with the USTA.
- f. “Employee” refers to a Person that is employed by and provides services to USTA.
- g. “Members” refers to anyone that has a membership account with the USTA.

- h. “Person” refers to an individual, corporation, company, association, firm, partnership, society, member, athlete, or any other organization or institution. This includes individuals and entities that are formally engaged in business with USTA.
- i. “Volunteer” refers to a Person that donates time and/or services to the USTA. This is inclusive of Board Members, Officers, Committee Members, Task Force Members, hearing panel members (e.g., Grievance Committee members), and USTA members. A Person continues to be a Volunteer even when they are reimbursed for costs and expenses incurred in providing the volunteer time and/or services.
- j. “Related Party” means any entity (including but not limited to any corporation, company, association, firm, or organization) in which any Affiliated Individual, or any relative of an Affiliated Individual has a thirty-five percent or greater ownership or beneficial interest, or in the case of a partnership or professional corporation, a direct or indirect ownership interest in excess of five percent.
- k. “Related Party Transactions” means any transaction, agreement or other arrangement with USTA in which a Related Party has a financial interest.
- l. “Relative” of an Affiliated Individual means that individual’s (i) spouse, ancestors, brothers and sisters (whether whole or half-blood), children (whether natural or adopted), grandchildren, great-grandchildren, and spouses of brothers, sisters, children, grandchildren, and great-grandchildren; or (ii) domestic partner.

#### **4. Conflicts of Interest and Loyalty**

A “Conflict of Interest” or “Conflict” exists when an Affiliated Individual’s activities, interests, or relationships interfere with, influence, or have the potential to interfere with or influence, their responsibilities on behalf of the USTA or undermine the interests of the USTA. The activities and interests of an Affiliated Individual’s relatives and close associates must also be considered when evaluating whether a conflict of interest exists. Relatives and close associates (RCAs) include RCAs’ spouses/domestic partners, children, siblings, parents, in-laws, close friends, and business partners.

A “conflict of interest” can exist in the context of athlete or team selection when an Affiliated Individual participates in a selection decision that involves or impacts an athlete who is an RCA of the Affiliated Individual or when an Affiliated Individual participates in a benefits or services allocation decision that directly impacts the Affiliated Individual or their RCAs.

For purposes of this Policy, the following circumstances will be deemed to create a potential Conflict of Interest:

- a. A contract or transaction between the USTA and an Affiliated Individual or a Relative of an Affiliated Individual;
- b. Any Related Party Transactions in which the USTA is a participant and in which a Related Party has a financial interest;
- c. An Affiliated Individual competing with the USTA in the rendering of services or in any other contract with a third party; and
- d. An Affiliated Individual having a financial interest in, or serving as a director, officer, employee, agent, partner or other representative of, or consultant to, an entity or Person that competes with the USTA in the provision of services or an any other contract with a third party.

Further, an Affiliated Individual owes a duty of loyalty to the USTA to fulfill conscientiously their responsibilities on behalf of the USTA. An Affiliated Individual should disclose and, where appropriate, refrain from engaging in any activity that might conflict, or appear to conflict, with the interests of the USTA, or that might result in or create the appearance of:

- a. Using one’s position as an Affiliated Individual at the USTA for private gain;
- b. Giving preferential treatment to any person;
- c. Impeding the efficiency or economy of the USTA’s operations; or
- d. Making decisions without impartiality.

An Affiliated Individual may not do indirectly, through family or friends, what they are precluded by this Policy from doing directly. An Affiliated Individual shall disclose to the Chief Ethics Officer or Chair of the Audit Committee any activities of family or friends that may violate the provisions of this Policy.

## 5. Areas Where a Conflict of Interest May Arise

As defined below, a conflict of interest may be actual, potential, or perceived:

### a. Actual Conflict of Interest

An actual conflict of interest exists when an Affiliated Individual has an active relationship with a person or organization that may influence their decision making in their role with USTA.

### b. Potential Conflict of Interest

A potential conflict of interest exists when an actual conflict of interest has not yet been established, but there is reasonable cause to believe that a future event may create a conflict of interest. An example of a potential conflict of interest is an Affiliated Individual that has an active relationship with a person or organization that is under consideration for a vendor contract with USTA. By contrast, if the vendor relationship is established, the Affiliated Individual would have an actual conflict of interest related to this vendor.

### c. Perceived Conflict of Interest

A perceived conflict of interest exists when an Affiliated Individual does not have an active relationship with a person or organization, but it may appear to another individual that a connection between the two exists and has influenced a decision made by the Affiliated Individual. A perceived conflict of interest may also exist if an Affiliated Individual has disclosed a conflict of interest and has recused themselves from decision making but takes actions that make it appear that they were involved in the decision (e.g., the conflicted person recused themselves from a discussion about a particular decision but remained in the room while the discussion was ongoing). It is important to remember that perceived conflicts of interest are often seen by others as actual conflicts of interests.

Conflicts of interest often arise due to the relationships Affiliated Individuals have with the following third parties:

- i. Persons or entities supplying goods and services to USTA;
- ii. Persons or entities leasing property or equipment to USTA;
- iii. Persons or entities with whom USTA is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities or other property;
- iv. Competing or affinity organizations;
- v. Donors and others supporting USTA;
- vi. Agencies, organizations, and associations which affect the operations of USTA; or
- vii. RCAs and other employees of USTA.

Potential conflicts of interest often arise when Affiliated Individuals have an interest, directly or indirectly, with any persons or entities mentioned above. Examples of potential conflicts of interest are listed below. The list below is not intended to be an all-inclusive list of every instance that may create a potential conflict of interest, but, rather, is simply a sample of the types of relationships and activities that may give rise to a conflict of interest. If an Affiliated Individual or other disclosing individual has any question as to whether a relationship or activity may create a conflict of interest, a disclosure must be made. Examples of potential conflicts of interest that should be disclosed are listed below:

- a. An Affiliated Individual has personal relationships with other Affiliated Individuals who they regularly work alongside or who their work affects.  
EXAMPLE: Two board members who are serving at the same time are married.  
EXAMPLE: A board member is the parent of a current national team athlete.
- b. Affiliated Individual or an RCA owns stock or holds debt or other proprietary interests in any third party dealing or who may potentially deal with USTA.  
EXAMPLE: An Affiliated Individual owns a 70% interest in a company seeking to enter into a contract with USTA to provide consulting services.

- c. Affiliated Individual or an RCA owns a business, maintains a second job, or provides goods or services under a provider, contractor, or consulting agreement, where the outside business provides goods or services to USTA, the United States Olympic or Paralympic Committee (USOPC), or any other USTA related entity.  
EXAMPLE: USTA is contemplating entering into an agreement with a HR consulting company owned by an USTA employee's husband.
- d. Affiliated Individual or an RCA holds a position of executive, officer or director, participates in the management of, or is otherwise employed (or formerly employed) by any third party dealing with USTA.  
EXAMPLE: An Affiliated Individual is the CEO of a technology company negotiating a contract with USTA to provide IT services.
- e. Affiliated Individual uses USTA's time, personnel, equipment, supplies, or goodwill for anything other than USTA-approved activities, programs, and purposes.  
EXAMPLE: A USTA employee uses a USTA vehicle for a personal road trip.
- f. Affiliated Individual solicits gifts or gratuities using their USTA role or accepts personal gifts, loans, gratuities, or discounts from third parties, including situations that may or may not constitute a violation of the USTA's Gift & Entertainment Policy. No personal gift of money should ever be accepted.  
EXAMPLE: A USTA employee using her position at USTA to obtain box seats to a sporting event from a vendor for personal use.  
EXAMPLE: Accepting tickets to an NFL game worth \$250 from a business seeking to obtain a contract to provide landscaping services for USTA headquarters.
- g. Affiliated Individual or an RCA acts as an agent, representative, or consultant to a business whose interests may conflict with the interests of USTA.  
EXAMPLE: An Affiliated Individual agrees to promote another entity against (or adverse to) USTA in negotiations with potential sponsors or licensees.
- h. Affiliated Individual or an RCA has a business relationship with a sponsor, supplier, licensee, or vendor of USTA.  
EXAMPLE: A USTA employee's spouse provides legal services to a USTA sponsor.
- i. Affiliated Individual awards USTA business to, or provides favorable treatment to, a business owned or controlled by a volunteer or an RCA.  
EXAMPLE: USTA is contemplating entering into a contract for landscaping services with a company because the landscaping company is owned by an employee's brother.
- j. Affiliated Individual drafts selection procedures or participates and/or votes within a discretionary selection committee of USTA when they have a relationship with an athlete who is potentially impacted by the selection procedures (e.g., as coach, trainer, parent, etc.) or when Affiliated Individual might benefit directly or indirectly from the selection method.  
EXAMPLE: USTA employee participating in a decision to select an athlete for an Operation Gold event when the USTA employee is athlete's current coach or family member.  
EXAMPLE: The athlete representative assisting with drafting, voting on, and/or signing the procedures is also competing for a spot on the team for which the procedures are written.
- k. Affiliated Individual engages in activities or maintains interests and relationships that interfere with or influence, or have the potential to interfere with or influence, the satisfactory performance of their responsibilities on behalf of USTA or undermine the interests of USTA.  
EXAMPLE: An Affiliated Individual has a significant client who owns or operates a facility being considered as the host of a USTA event.  
EXAMPLE: An athlete is the potential recipient of benefits or services that are being allocated by USTA and participates in the allocation decision.

## **6. General Conduct on Gambling on Tennis**

No Affiliated Individual shall participate in or otherwise aid or abet, directly or indirectly, any form of gambling or betting involving tennis.

## **7. Political Activity**

An Affiliated Individual is prohibited by law from utilizing any USTA affiliation in connection with the promotion of political activities, religious matters, or from using official authority or influence to interfere with an election or affect its results.

## **8. Prohibited Personnel Practices**

An Affiliated Individual may not engage in any prohibited personnel practices. Among the practices prohibited by federal law are unwelcomed advances or other unwelcomed verbal or physical conduct. Volunteers shall abide by the USTA's policy on Harassment.

## **9. Use of USTA Property, Funds, or Facilities**

An Affiliated Individual has a duty to conduct themselves honestly and responsibly while volunteering with or employed by USTA. An Affiliated Individual has a duty to actively protect and conserve USTA property, including name, logo, trademarks, equipment, supplies, and other property issued, entrusted or made available. No Affiliated Individual shall use or allow others to use for non-USTA purposes or for private gain, USTA's name, logo, trademarks, funds, staff resources, facilities or property, including but not limited to, official mail, and travel privileges. All materials generated or received by an Affiliated Individual within the scope of providing employment and volunteer time and/or services are the property of the USTA and may not be destroyed or removed from the USTA in accordance with established USTA procedures.

## **10. Use of USTA Information**

Maximum discretion in disseminating information is expected of all Affiliated Individuals. Press should be referred to the USTA's Public Relations Department. Other requests for non-public information not routinely provided should be referred to the Office of the General Counsel for the USTA. No Affiliated Individual shall, without written consent of the Chief Ethics Officer or Office of General Counsel, make use of or permit others to make use of any information obtained during the course of volunteering that is not available to the general public for purposes of furthering a private interest or for any purpose detrimental to the USTA.

## **11. Referrals**

An Affiliated Individual may be called upon to recommend a provider of services, other than the USTA, to persons outside the USTA seeking such service. Since such a referral may be construed as an endorsement, or result in charges of personal favoritism, an Affiliated Individual should, unless otherwise agreed to by the USTA's Board, make clear that any referral is not endorsed by the USTA.

## **12. Gifts and Awards**

An Affiliated Individual shall abide by the USTA's Gift and Entertainment Policy.

## **13. Outside Activities**

An Affiliated Individual may not engage in any outside activity that may reasonably be construed by the public as the official action of the USTA without the prior written consent of the Chief Ethics Officer, Office of General Counsel, or Chair of the Audit Committee. In any activity which might be so construed, the use of the USTA's name, logo, trademarks, or of an Affiliated Individual title with the USTA, requires the prior written consent of

the Chief Audit Officer, Office of General Counsel, or Chair of the Audit Committee.

All writings and publications that are prepared within the scope of an Affiliated Individual providing the individual's time and/or services at the USTA constitutes USTA's work product and is the property of the USTA. The USTA shall have all rights therein; except, to the extent that the USTA has agreed otherwise, in writing, prior to publication.

#### **14. Interpretation of This Policy**

The examples listed in Section 5 are not exhaustive. Affiliated Individuals should disclose all relationships and activities which may give rise to a potential conflict of interest, whether or not listed expressly in Section 5.

Disclosure of a conflict or potential conflict of interest does not necessarily prohibit involvement in the disclosed activity or with USTA. For example, the conflict might not be material enough to be of practical importance, or if it is material, it might be possible for USTA and the Affiliated Individual to implement appropriate mitigating measures upon full disclosure of all relevant facts and circumstances. However, it is USTA's policy that the existence of any of the interests described or similar in nature to those described in Section 5 will be disclosed before any transaction is consummated or any vote taken on an action, contract, relationship, or decision that would give rise to the potential conflict of interest.

It is the continuing responsibility of each Affiliated Individual to scrutinize their transactions, outside business interests, and relationships for potential conflicts and to immediately make such disclosures.

#### **15. Conflict Disclosure Statements**

All Affiliated Individuals must comply with this Policy and proactively disclose actual or potential conflicts of interest as they arise. In addition, all Affiliated Individuals must, on at least an annual basis, sign and submit to the Audit Committee and Chief Ethics Officer the USTA's standardized disclosure form to disclose any actual or potential conflicts of interest.

Any new USTA employee will submit a conflict of interest disclosure statement within 14 days of his or her hiring by USTA to fulfill the annual disclosure requirement. Any other new Affiliated Individuals who are required to submit an annual disclosure will submit a conflict of interest disclosure statement by the earlier of 30 days after the individual's appointment or their first board, committee, or task force meeting to fulfill the annual disclosure requirement. In no event will an Affiliated Individual participate in any decisions to commit USTA to a proposed transaction or in athlete or team selection procedures prior to submission of their conflict of interest disclosure statement.

Any actual or potential conflict of interest must be disclosed. Each disclosure will be reviewed and addressed by the Audit Committee as outlined herein. USTA will maintain copies of all disclosures submitted in accordance with document retention policies and procedures.

#### **16. Periodic Statements and Updates**

In addition to the required annual disclosures, each employee, board member or officer, committee member, and volunteer or contractor with substantial decision-making authority will submit to the Audit Committee an updated disclosure describing any new potential conflicts of interest or material changes to a previously disclosed conflict of interest as they arise. USTA will maintain copies of all periodic statements or updates submitted in accordance with the document retention policies and procedures. Volunteers must also review meeting agendas before each meeting to determine if, for any discussion item, they have any potential conflicts of interest that should be disclosed under this Policy. At the beginning of each meeting, each Volunteer should state the agenda items for which that individual has such a potential conflict of interest. When those agenda items are addressed by the board or committee, the conflicted board or committee member may need to recuse themselves for discussions and/or board or committee votes. Volunteers who become aware of a conflict mid-discussion, such as during a conversation that evolves to include content that presents a conflict that was not apparent from the agenda item's title, should recuse

themselves at that time. Recusal means the Volunteer must leave the room or the teleconference entirely and return only when the discussion or vote on the agenda item is completed. The minutes should reflect each disclosure and recusal.

## **17. Procedures for Reviewing and Managing Potential Conflicts of Interest**

### **a. Review of Disclosures**

The Office of General Counsel collects for the Audit Committee and USTA Chief Ethics Officer to review conflict of interest disclosures, who documents any actual or potential conflicts of interest, and determines any actions required to manage the conflict of interest. Conflict of interest disclosures for the Chief Executive Officer and Board of Directors are provided to the Audit Committee for review.

Conflicts will be addressed as follows:

- i. The Audit Committee, in whole or in part, as applicable, or the Chief Ethics Officer, as applicable, will review the information provided by the Affiliated Individual in their disclosure, requesting additional information from the Affiliated Individual if necessary to fully understand the nature of the conflict.
- ii. The Audit Committee, in whole or in part, as applicable, or the Chief Ethics Officer, as applicable, will determine whether an actual or apparent conflict of interest exists.
- iii. If the Audit Committee, in whole or in part, as applicable, or the Chief Ethics Officer, as applicable, determines that an actual or apparent conflict of interest exists, they will determine whether there are mitigating measures that can be implemented to alleviate the conflict and/or what steps the interested individual and/or USTA must take or not take in order to avoid the conflict. The disclosure of an actual or potential conflict of interest will not necessarily prohibit involvement in the disclosed activity or with USTA. Rather, each disclosure will be reviewed individually and actions may be recommended to protect the Affiliated Individual, USTA, and the integrity of the decisions made by the Affiliated Individual and USTA from actual, potential, and perceived conflicts of interests. These actions may include limitation of involvement, separation from certain USTA activities, or requests to cease the activity in question.
- iv. Managing conflicts will be discussed with the Affiliated Individual directly. If a material conflict is identified (whether actual or potential) for an Affiliated Individual, the Audit Committee through the Chief Ethics Officer will communicate, in writing, its direction on conflict management to the individual. If a determination is made that limits such individual's right to participate in sport, the Affiliated Individual will be provided an opportunity for a hearing.

### **b. With Respect to Proposed USTA Transactions or Business**

In the event a potential conflict of interest exists with respect to a proposed transaction or arrangement, then promptly and before any decision is made regarding the proposed transaction or arrangement, the potential conflict of interest will be addressed as follows:

- i. The interested person may make a presentation to the Audit Committee, in whole or in part applicable, or the Chief Ethics Officer, which may be convened telephonically, regarding the transaction or arrangement involving the potential conflict of interest.
- ii. The interested person will then recuse themselves from any and all discussion and approval (if applicable) of the conflict of interest.
- iii. The Audit Committee, in whole or in part, as applicable, or the Chief Ethics Officer will determine whether an actual or apparent conflict of interest exists. For transactions, the Audit Committee may consider whether a competitive bid or competitive evaluation exists.
- iv. If the Audit Committee, in whole or in part, as applicable, or the Chief Ethics Officer determines that an actual or apparent conflict of interest exists, it will determine whether there are mitigating measures that can be implemented to alleviate the conflict and/or what steps the interested individual and/or USTA must take or not take in order to avoid the conflict. The Audit Committee may determine in some cases that the USTA cannot engage in the transaction or arrangement at all due to the conflict or potential conflict of interest.

### **c. With Respect to Drafting Selection Procedures and Athlete/Team Discretionary Selection**

The following more particularized disclosure requirements and procedures apply in the context of drafting selection procedures and athlete/team discretionary selection decisions in order to ensure that no Affiliated Individual participating in the process has a conflict of interest that will impact the individual's ability to make a fair and unbiased decision in the athlete or team selection process. Any Affiliated Individual involved in the drafting of procedures, including the athlete representative, or on a discretionary selection committee who has a potential conflict of interest must disclose it to the Audit Committee for review. If the Affiliated Individual has not completed a Conflict of Interest Disclosure Form on which the Audit Committee or Chief Ethics Officer already made a determination, the following process will be followed:

- i. The interested Person may make a presentation to the Audit Committee, which may be convened telephonically, regarding the potential conflict of interest.
- ii. The interested person will then recuse themselves from any and all discussion regarding the potential conflict of interest.
- iii. The Audit Committee will determine whether an actual or apparent conflict of interest exists.
- iv. If the Audit Committee determines that a conflict of interest exists, it will either mandate the individual's recusal from the process or determine to what extent, if any, that individual can participate in the process. The Audit Committee may determine that the individual can still participate in the drafting of the procedures or be included in the discussions for discretionary selection of a team, but not take part in any sign-off, vote, or decision. For example, a national team coach or high performance director may provide information to the selection committee so long as such information is provided in a fair and unbiased manner and the committee member who disclosed the conflict of interest does not vote toward the final decision.
- v. Under no circumstances will a person with an actual or potential conflict attempt to unduly influence other members of the committee in the selection process.

If the Affiliated Individual is recused and a vacancy on the committee exists, either in the drafting process or on the discretionary selection committee, USTA will use its best reasonable efforts to fill that vacancy in line with the USOPC-approved selection procedures and its process as provided by the USOPC. If a vacancy results in the athlete representative position, another athlete representative who meets the qualifications for that committee will be appointed and approved by a representative group of athletes.

#### d. Employee-Specific

If a supervisor has reasonable cause to believe that an Employee has failed to disclose an actual or possible Conflict of Interest, the supervisor shall inform the Employee of the basis for such belief and afford the Employee an opportunity to explain the alleged failure to disclose. If, after hearing the Employee's response and making further investigation as warranted by the circumstances, the supervisor determines the Employee has failed to disclose an actual or possible Conflict of Interest, the supervisor shall notify the Chief Ethics Officer in order for the Chief Ethics Officer to take appropriate disciplinary and corrective action. The disciplinary action may take the form of admonishment, written reprimand, reassignment, suspension, removal, or such other action as deemed appropriate.

The type of disciplinary action to be taken must be determined in relation to the specific violation. Those responsible for recommending and taking disciplinary action must apply judgment to each case, considering the general objectives for meeting any requirement within this Policy, deterrence of similar offenses by other Employees, and maintenance of a high standard of conduct and public confidence. No disciplinary action will be taken against an Employee who has received written approval from the Chief Ethics Officer for the activity alleged to be in violation.

#### e. Reporting Violations of the Conflicts of Interest Policy

Any individual with a good faith belief that an Affiliated Individual has a conflict of interest may notify the Chief Ethics Officer or Chair of the Audit Committee of such perceived conflict by emailing the individual(s) identified in 17.i. Furthermore, should any Affiliated Individual become aware of any undisclosed conflict of interest, or any conflict of interest not fully disclosed, they should make full disclosure of their knowledge of the potential conflict of interest involved to Chief Ethics Officer or Chair of the Audit Committee identified in 17.i. Reports may be made anonymously, if desired. All good faith reports of violations of this policy are protected under the provisions of the [USTA Whistleblower / Anti-Retaliation Policy](#) (see also 17.g below). USTA has zero tolerance for retaliation against an individual for filing a good faith report of a violation or potential violation. Consult the USTA Whistleblower/Anti-Retaliation Policy via EthicsPoint, as further provided herein, for additional information.

f. Violations of the Conflicts of Interest Policy

If the Audit Committee or Chief Ethics Officer has reasonable cause to believe an Affiliated Individual has failed to disclose an actual or potential conflict of interest, it will promptly inform the Affiliated Individual of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose, including providing the Affiliated Individual an opportunity for a hearing if there is a determination that limits such individual's right to participate in sport. If, after hearing the Affiliated Individual's response and after making further investigation as warranted by the circumstances, the Audit Committee or Chief Ethics Officer determines the Affiliated Individual has failed to disclose the conflict or potential conflict of interest, it will take appropriate disciplinary and corrective action. The Audit Committee will communicate all such decisions in writing to the Affiliated Individual, through the Chief Ethics Officer, or such communication shall be accomplished through the Chief Ethics Officer solely. The Audit Committee and Chief Ethics Officer's decision will be final. In the event that a member of the Audit Committee is not disinterested in a particular alleged violation under review, that member shall recuse themselves from the investigation and decision-making process. In all cases, matters under review shall be reviewed by disinterested parties. While any such failure to disclose a conflict or potential conflict of interest is under investigation by the Audit Committee or Chief Ethics Officer, the Affiliated Individual will be precluded from engaging in further decisions of USTA that bear any relation whatsoever to the matter that is the subject of the conflict or potential conflict of interest.

g. Anti-Retaliation Provision

USTA has zero tolerance for retaliation against people who make good faith reports of an actual or potential conflict of interest or those who cooperate with investigations of the same. Retaliation, for the purposes herein, is defined as any adverse or discriminatory action, or the threat of an adverse or discriminatory action, carried out against an athlete, employee, board member or officer, member, committee member, task force member, hearing panel member, volunteer, or others associated with USTA as a result of any grievance, report, appeal, complaint, or other communication reporting misconduct of any kind to USTA, the USOPC, the USOPC's Office of the Athlete Ombuds, 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:

- i. Removal from a USTA Office (Purchase, USTA National Tennis Center, NY Times Square Office, or USTA National Campus)
- ii. Removal from competition
- iii. Removal from a volunteer position

In addition, USTA, nor any of its employees, contractors, agents, or volunteers, shall take or threaten to take any action against an athlete as a reprisal for disclosing information or seeking assistance from the Office of the Athlete Ombuds.

h. USOPC Resources

As the National Governing Body of Tennis, individuals, as applicable, who wish to report concerns related to this policy as it relates to involvement in the Olympic and Paralympic Movement, or are uncomfortable reporting a concern directly to the USTA, may also submit a report using the USOPC Integrity Portal. The Integrity Portal allows individuals to submit concerns to the USOPC confidentially and/or anonymously. Reports may be made online or by telephone.

Website: [usopc.auditpoint.com](http://usopc.auditpoint.com)

Hotline: 877-404-9935

Athletes who compete at Operation Gold events (referred to by the USOPC as Team USA athletes) may contact the Athlete Ombuds for independent and confidential advice on a variety of sport related matters, including their rights, applicable rules, policies or processes, and questions related to resolving disputes and grievances. The Athlete Ombuds can also help Team USA athletes connect with legal counsel or mental health resources if needed. All other USTA athletes (i.e., grassroots play, USTA-sanctioned play, athletes competing domestically at the masters or youth level, recreational athletes, foreign athletes), are welcome to visit the Athlete Ombuds website to review informational resources and should work directly with the USTA to understand additional resources and options available to them.

Email: [ombudsman@usathlete.org](mailto:ombudsman@usathlete.org)

Website: [www.usathlete.org](http://www.usathlete.org)

i. USTA Resources

This policy is approved by the USTA Board of Directors, and any questions regarding responsibility for and enforcement of this policy should be directed to Andrea Hirsch, USTA Chief Ethics Officer ([hirsch@usta.com](mailto:hirsch@usta.com)), or the current Chair of the Audit Committee (please see the USTA Yearbook for identification of this individual and their contact information by Term).

***The USTA has contracted with EthicsPoint, an independent service provider specializing in secure and anonymous “Whistle-blower / Hotline” services. The services provided by EthicsPoint enables a USTA Employee, USTA Volunteer, and Person to anonymously report a suspected violation of policy via the EthicsPoint phone service or website. The USTA’s Whistleblower Policy is accessible [here](#). To report, call EthicsPoint at (866)654–6516 or access the EthicsPoint website at [www.ethicspoint.com](http://www.ethicspoint.com) and follow the instructions.***

*To the extent possible, USTA will take every conceivable action to ensure that any person who reports a suspected violation is shielded from public embarrassment or subject to retaliation.*

## USTA VOLUNTEER CODE OF ETHICS AND PROFESSIONAL STANDARDS

This Volunteer Code of Ethics and Professional Standards is appended to the USTA Conflict of Interest and Disclosure Policy, and incorporates the Definitions of the same.

### **Volunteer Service Code of Ethics:**

1. Volunteers of the USTA owe a duty of loyalty to the USTA and should always act in the best interests of the USTA. Volunteers should disclose and, where appropriate, refrain from engaging in, any activity that might conflict, or appear to conflict, with the interests of the USTA, or that might result in or create the appearance of:
  - a. Using one's position as a Volunteer at the USTA for private gain;
  - b. Giving preferential treatment to any person;
  - c. Impeding the efficiency or economy of the USTA's operations; or
  - d. Making decisions without impartiality.
2. No Volunteer shall participate in or otherwise aid or abet, directly or indirectly, any form of gambling or betting involving tennis.
3. No Volunteer shall publicly disparage the USTA or any of its officers, directors or employees. For purposes of this Section, "disparage" shall mean any negative statement, whether written or oral, about the USTA and its affiliated companies, or any of its officers, directors, or employees.
4. Volunteers are prohibited by law from utilizing any USTA affiliation in connection with the promotion of partisan political activities, religious matters, or from using official authority or influence to interfere with an election or affect its results.
5. Volunteers may not engage in any prohibited personnel practices. Among the practices prohibited by federal law are unwelcome advances or other unwelcome verbal or physical conduct. Volunteers shall abide by the USTA's policy on Harassment.
6. Volunteers have a duty to conduct themselves honestly and responsibly while volunteering for the USTA. Volunteers have a duty to actively protect and conserve USTA property, including confidential information received as a result of being a volunteer and the name, logo, trademarks, equipment, supplies, and other property issued, entrusted or made available by USTA. No Volunteer shall use or allow others to use for non-USTA purposes or for private gain, USTA's confidential information, name, logo, trademarks, funds, staff resources, facilities or property, including but not limited to, official documents distributed, and travel privileges. All materials generated or received by a Volunteer within the scope of providing the Volunteer's time and/or services are the property of the USTA and may not be utilized or further distributed for personal gain, or destroyed or removed from the USTA in accordance with established USTA procedures.
7. Maximum discretion in disseminating information is expected of all Volunteers. Press should be referred to the USTA's Public Relations Department. Other requests for nonpublic information not routinely provided should be referred to the Office of the General Counsel for the USTA. No Volunteer shall, without written consent of the Chief Ethics Officer or Chair of the Audit Committee, make use of or permit others to make use of any information obtained during the course of volunteering that is not available to the general public for purposes of furthering a private interest or for any purpose detrimental to the USTA.
8. Volunteers shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value in excess of \$400.00, from any Person who:
  - a. has or is seeking to obtain a contractual or other business or financial relationships with the USTA;
  - b. has received, is receiving or is seeking to receive a loan or grant from the USTA;
  - c. is seeking to affect any official action of the USTA; or
  - d. has interests which may be affected substantially by the performance or non-performance of the Volunteer's duty.

**There are exceptions, which are detailed in the Conflict of Interest and Disclosure Policy:**

1. Decorations and Awards. Volunteers may accept without restriction any decoration or award from any source given in recognition of meritorious public contribution or an achievement.
2. Volunteers may not engage in any outside activity that may reasonably be construed by the public as the official action of the USTA without the prior written consent of the Chief Ethics Officer or Chair of the Audit Committee. In any activity which might be so construed, the use of the USTA's information, name, logo, trademarks, or of a Volunteer's title with the USTA, requires the prior written consent of the Chief Ethics Officer or Chair of the Audit Committee.
3. Publication. All writings and publications that are prepared within the scope of a Volunteer providing their time and/or services at the USTA constitutes USTA's work product and is the property of the USTA. The USTA shall have all rights therein; except, to the extent that the USTA has agreed otherwise, in writing, prior to publication.

**Below is a list of procedures related to a violation of the Volunteer Code of Ethics and Professional Standards:**

1. If the Board or Committee has reasonable cause to believe that a Volunteer has violated the Volunteer Code of Ethics and Professional Standards, it shall inform the Volunteer of the basis for such belief and afford the Volunteer an opportunity to explain the alleged violation. If, after hearing the Volunteer's response and making further investigation as warranted by the circumstances, the Board determines the Volunteer has violated the Volunteer Code of Ethics and Professional Standards, it shall take appropriate disciplinary and corrective action. The disciplinary action may take the form of admonishment, written reprimand, reassignment, suspension, removal, or such other action as deemed appropriate.
2. The type of disciplinary action to be taken must be determined in relation to the specific violation. Those responsible for recommending and taking disciplinary action must apply judgment to each case, considering the general objectives for meeting any requirement within this Volunteer Code of Ethics and Professional Standards, deterrence of similar offenses by other Volunteers, and maintenance of a high standard of conduct and public confidence. No disciplinary action will be taken against a Volunteer who has received written approval from the Chief Ethics Officer or Chair of the Audit Committee for the activity alleged to be in violation.

*This Volunteer Code of Ethics and Professional Standards for USTA Volunteers is not exhaustive, but rather is provided as an overview for reference.*

***The USTA has contracted with EthicsPoint, an independent service provider specializing in secure and anonymous "Whistle-blower / Hotline" services. The services provided by EthicsPoint enable a USTA Employee or USTA Volunteer to anonymously report a suspected violation of policy via the EthicsPoint phone service or website. To report, call EthicsPoint at (866)654-6516 or access the EthicsPoint website at [www.ethicspoint.com](http://www.ethicspoint.com) and follow the instructions. To the extent possible, USTA will take every conceivable action to ensure that any person who reports a suspected violation is shielded from public embarrassment or subject to retaliation.***

*For the detailed policy and procedures related to Volunteer conduct, please see the USTA's Conflict of Interest and Disclosure Policy, which every Volunteer reviews and affirms annually.*