

## VSSA- ADOPTED 24 MARCH 2022

### A. PROHIBITED CONDUCT POLICY

This Policy applies to all U.S. Soccer “Covered Personnel” as defined in the Section above entitled, “**Error! Reference source not found.**” on page **Error! Bookmark not defined.**, as well as conduct by any subcontractor, supplier, customer or third party and their employees in their dealings with U.S. Soccer employees. All definitions in this policy are taken from the SafeSport Code for the U.S. Olympic and Paralympic Movement the “**SafeSport Code**”), as may be amended from time to time. In the event of any conflict between this Policy and the SafeSport Code, the SafeSport Code will govern. The most recent SafeSport Code is always available at [www.safesport.org](http://www.safesport.org).

U.S. Soccer is committed to maintaining a work environment that is free from all forms of discrimination, including harassment, on the basis of any legally protected status. Accordingly, U.S. Soccer does not permit any form of unlawful harassment, discrimination or intimidation against its employees by anyone, including managers, supervisors, coworkers, executives, directors, officers, other employees, vendors, clients, customers or third parties. Protected status includes race, color, age, religion, marital status, sex, ancestry, national origin, citizenship, veteran’s status, pregnancy, disability, sexual orientation, protected activity, or any other characteristic protected by federal, state or local law. The policy also prohibits harassment on the basis of the protected status of an individual’s relatives, friends or associates.

U.S. Soccer is also committed to maintaining a work environment that is free from all forms of sexual abuse, sexual misconduct, emotional misconduct, physical misconduct, bullying and hazing.

Any violation of this Policy by a Covered Individual may subject the Covered Individual to disciplinary action. Appropriate action also will be taken against any subcontractor, supplier, or customer found in violation of this Policy.

#### 1. Harassment

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person’s protected status. U.S. Soccer will not tolerate harassing conduct that affects tangible job benefits, that unreasonably interferes with an individual’s work performance, or safety, or that creates an intimidating, hostile, or offensive working environment.

Among the types of conduct prohibited by this policy are epithets, slurs, negative stereotyping or intimidating acts based on an individual's protected status and the circulation or posting of written or graphic materials that show hostility toward an individual because of his or her protected status.

Prohibited conduct can also include jokes, kidding, or teasing about another person’s protected status. While harassing conduct is unlawful only if it affects tangible job benefits and/or interferes unreasonably with work performance and creates an abusive or hostile work

environment, this Policy forbids harassing conduct even when it does not rise to the level of a violation of law.

## **2. Sexual Harassment**

Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting that individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance and creating an intimidating, hostile, or offensive working environment.

Sexual harassment may involve individuals of the same or different gender. It may also occur between individuals of any employment status.

Examples of conduct which may constitute sexual harassment and are prohibited by this Policy include, but are not limited to:

- unnecessary touching, patting, hugging, pinching, or brushing against a person's body;
- staring, ogling, leering, or whistling at a person;
- continued or repeated verbal abuse of a sexual nature;
- sexually explicit statements, sexual flirtations, advances, propositions, subtle pressure for sexual activity, comments, questions, jokes, or anecdotes;
- graphic or degrading comments about a person's clothing, body or sexual activity;
- sexually suggestive objects, cartoons, posters, calendars, or pictures in the workplace;
- suggestive or obscene letters, notes or invitations;
- harassing use of electronic mail, electronic or instant messaging, or telephone communication systems; or
- other physical or verbal conduct of a sexual nature.

U.S. Soccer prohibits managers and supervisors from threatening or insinuating, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's wages, assigned duties, advancement, evaluation, shifts, career development, or any other condition of employment.

### **3. Racial, Religious, or National Origin Harassment**

Racial, religious, or national origin harassment deserves special mention as well, and is expressly prohibited by U.S. Soccer. Racial, religious, or national origin harassment includes any verbal, written, or physical act in which race, religion, or national origin is used or implied in a manner which would make a reasonable person uncomfortable in the work environment or which would interfere with the person's ability to perform the job. Examples of race, religious or national origin harassment may include, but are not limited to:

- jokes, which include reference to race, religion, or national origin;
- the display or use of objects or pictures which adversely reflect on a person's race, religion, or national origin; or
- use of pejorative or demeaning language regarding a person's race, religion, or national origin.

### **4. Child Sexual Abuse**

Any sexual activity with a child is prohibited. This includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether there is deception, or the child understands the sexual nature of the activity.

### **5. Sexual Misconduct**

Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority is prohibited. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative. This section does not apply to a pre-existing relationship between two spouses or life partners.

### **6. Emotional Misconduct**

Emotional misconduct in all forms is prohibited. Emotional misconduct is a pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to another person. Non-contact behaviors include verbal acts, physical acts, or acts that deny attention or support; or any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect). Emotional misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athletic performance.

### **7. Physical Misconduct**

Physical misconduct in all forms is prohibited. Physical misconduct is defined as contact or non-contact conduct that results in, or reasonably threatens to, cause physical harm to another person; or any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault). Physical misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building,

appropriate discipline or improving athletic performance. For example, hitting and punching are well-regulated forms of contact in combat sports but have no place in soccer.

## 8. Bullying

Intentional, persistent and repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership are prohibited. Bullying does not include group or team behaviors that (a) are meant to establish normative team behaviors, or (b) promote team cohesion.

## 9. Hazing

Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members are prohibited. Hazing does not include group or team activities that (a) are meant to establish normative team behaviors or (b) promote team cohesion.

## 10. Procedures for Complaints, Investigations and Corrective Action

All Covered Personnel are responsible to help ensure that we avoid misconduct. U.S. Soccer cannot act to eliminate misconduct unless it has notice of the conduct. Covered Personnel are charged with reporting any concerns regarding compliance with the Safe Soccer Framework in the manner provided in the Section entitled "**Error! Reference source not found.**" on page **Error! Bookmark not defined.** For the avoidance of doubt, in some instances, Covered Personnel will be required to report to law enforcement and/or the U.S. Center for SafeSport.

Furthermore, U.S. Soccer employees are responsible to help assure that the work environment, on or off-premises, is free from harassment. All employees have an obligation to promptly report any and all allegedly harassing conduct they are the subject of, that they learn of, or that they witness. Our Policy provides for immediate notice of problems to the persons designated in this Policy so that we may address and resolve any problems as quickly as possible.

An employee must report the harassing conduct to either:

- The person to whom you report (supervisor or manager);
- Department Head;
- The Human Resources Department;
- The Legal Department;
- The Chief Executive Officer;
- Online at [www.safesoccer.com](http://www.safesoccer.com); or

- The Integrity Hotline.

If the employee feels uncomfortable going to his or her supervisor with the complaint, he/she must report the matter to any other member of management as designated above.

This Policy does not require reporting the misconduct to any individual who is creating the harassment or discrimination.

All Covered Personnel have an obligation to cooperate in any investigation of a complaint of misconduct, including providing any and all information concerning the complaint. Failure to do so may be a violation of this Policy.

U.S. Soccer's Prohibited Conduct Policy offers its employees greater protection from harassment than does the law. Consequently, Covered Personnel who are found to have violated U.S. Soccer's Prohibited Conduct Policy shall be subject to corrective action, discipline or termination, even in cases where applicable laws may not have been violated and without regard to whether the conduct constitutes a violation of the law.

An employee wishing to file a complaint outside the Federation may also contact either the Equal Employment Opportunity Commission or the fair employment agency in his or her state.

## 11. Training and Education

Employees and other Covered Personnel over the age of 18 that have Regular Contact with athletes must successfully complete the U.S. Center for SafeSport training every year, consistent with the Minimum Training Policy found at **Error! Reference source not found..Error! Reference source not found..** on page 19. The U.S. Center for SafeSport training can be accessed at <http://training.safesport.org/>. Minor Athletes that directly register with U.S. Soccer must be offered training from the U.S. Center for SafeSport every year and, may take the training with parental consent.<sup>1</sup> Additionally, parents of Minor Athletes must be offered parent training provided by the U.S. Center for SafeSport.

## 12. Exclusive Jurisdiction Over Investigation/Adjudication of Sexual Abuse or Misconduct

The investigation and adjudication of matters involving allegations or reports of sexual abuse or misconduct by or against Covered Personnel, or other violations of this Prohibited Conduct Policy that involve prohibited conduct that is reasonably related to and accompanies an alleged violation involving sexualized behavior by Covered Personnel are subject to the exclusive jurisdiction of the United States Center for Safe Sport in accordance with the requirements of the USOC and as set forth in the Center's Bylaws or other Center's governing documents. Please see the Section **Error! Reference source not found..** entitled, "Exclusive Jurisdiction Over Investigation/Adjudication of Sexual Abuse or Misconduct" on page **Error! Bookmark not defined.** for more information.

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<sup>1</sup> Athletes 18 or older that directly register with the U.S. Center for SafeSport must comply with the training requirements by September 1, 2019 and refresher training each year thereafter.

